

New Hampshire Police Standards & Training Council



Administrative Rules, Training Rules, and Technical Assistance Manual

New Hampshire Police Standards & Training Council
17 Fan Road
Concord, New Hampshire 03301-7413
February 1, 2001

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Preface

This publication contains the administrative rules of the New Hampshire Police Standards & Training Council, adopted by the Council pursuant to the provisions of RSA 541-A:3.

It also contains rules the Council has promulgated outside the Administrative Procedures Act, under the authority of RSA 188-F:26,V relative to educational, training and evidentiary standards and curriculum requirements for police and corrections personnel and courses and students at such courses, and for which the Council is exempted from the requirements of the Administrative Procedures Act by virtue of the provisions of RSA 541-A:21, I, (s). These rules also have the force of law, and are contained in the Technical Assistance Manual portion of the document, and separately numbered to avoid confusion.

The Council hopes that this document will be of assistance to you, and invites comments on its structure and contents at any time.

Very truly yours,

Earl M. Sweeney, Director

New Hampshire Police Standards & Training Council

Administrative Rules
adopted pursuant to RSA 541-A:3
under authority of RSA 188-F:22-32(c)

Adoption Date:	23 May, 2000
Expiration Date:	23 May, 2008

NEW HAMPSHIRE POLICE STANDARDS AND TRAINING COUNCIL RULES

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APPENDIX A	I

NEW HAMPSHIRE POLICE STANDARDS AND TRAINING COUNCIL

CHAPTER Pol 100 ORGANIZATIONAL RULES

PART Pol 101 DEFINITIONS

Pol 101.01 "Agency" means the department, division or governmental unit employing a police, corrections or probation/parole officer.

Pol 101.02 "Appointment" means investing a person with authority as a police, corrections or probation/parole officer as defined in RSA 188-F:23, I.

Pol 101.03 "Certification" means qualification by the council of a person to serve as a police, corrections or probation/parole officer after meeting the applicable requirements of these rules.

Pol 101.04 "Chairman" means the chairman of the police standards and training council.

Pol 101.05 "Commissioner" means the commissioner of the new hampshire regional community technical college system.

Pol 101.06 "Contested proceeding" means a proceeding in which the legal rights, duties, or privileges of a person are to be determined by the council after an opportunity for an adjudicative hearing.

Pol 101.07 "Controlled substance" means "controlled drug" as defined in RSA 318-B:1, VI, or "controlled drug analog", as defined in RSA 318-B:1, VI-a.

Pol 101.08 "Council" means the New Hampshire police standards and training council.

Pol 101.09 "County corrections academy" means basic training for county corrections officers approved by the council.

Pol 101.10 "County corrections officer" means an officer of a county department of corrections whose primary duty is the custody of prisoners at a county correctional institution and who is eligible to become a member of the group II retirement system.

Pol 101.11 "Corrections academy" means the basic training for state corrections officers of the New Hampshire department of corrections approved by the council.

Pol 101.12 "Corrections employee" means a civilian employee of the New Hampshire department of corrections who is not primarily responsible for the custody of prisoners and not a member of the group II retirement system.

Pol 101.13 "Corrections officer" means an officer of the New Hampshire department of corrections of any rank whose primary duty is custody of prisoners at a state correctional institution, and who is eligible to belong to the group II retirement system.

Pol 101.14 "Days" means normal working days, excluding Saturdays, Sundays, and legal State holidays.

Pol 101.15 "Department" means the new hampshire regional community technical college system.

Pol 101.16 "Director" means the unclassified state official appointed to administer the operations of the council, as provided in RSA 188-F:26, XIV.

Pol 101.17 "Discharge" means the hiring authority dismissing a police or corrections officer.

Pol 101.18 "Effective date" means a date or dates on which action was taken by the appointing authority or council, as applicable, concerning the appointment, death, promotion, termination, certification, or revocation of certification of police or corrections officers.

Pol 101.19 "Elected police officer" means any person elected by the voters of a unit of government to serve as a police officer.

Pol 101.20 "Employee" means any person serving as a police, corrections or probation/parole officer, whether appointed or elected.

Pol 101.21 "Employee Status Notification Form A" means the form or portion of a form which is required to be completed and forwarded to the council by an agency when hiring a police or corrections officer.

Pol 101.22 "Employee Status Notification Form B" means the form or portion of a form which is required to be completed and forwarded to the council by an agency when an officer ceases to be employed by them for any reason, or when an employee is promoted to a higher rank or grade, or demoted to a lower rank or grade, or the officer changes type of employment (full-time to part time, or the opposite).

Pol 101.23 "Felony" means a crime classified by the State of New Hampshire as a felony at the time the crime was committed, or an equivalent crime in any other jurisdiction whether civilian or military, if the crime has elements similar to those of a felony under NH law at the time the offense was committed.

Pol 101.24 "Full-time police officer" means any law enforcement officer assigned to work on a regular basis for one or more employing units of government more than 1300 hours in any given consecutive 12 month period who:

(a) Is authorized to make arrests for violations of the criminal, motor vehicle or boating laws of the state; and

(b) Is appointed or elected by the unit or units of government as a police officer; and

(c) Performs those duties specifically for that/those unit(s) of government including:

- (1) State troopers;
- (2) Conservation officers;
- (3) Special agents of the state liquor commission;
- (4) Gaming enforcement investigators of the division of state police;
- (5) Marine patrol officers of the division of safety services;
- (6) Deputy sheriffs;
- (7) Town and city police officers;

(8) State harbor masters; and

(9) Those persons invested with police powers by a municipal government to perform police functions for a college or university.

Pol 101.25 "Hiring authority" means any agency, unit of government or authorized official of an agency or unit of government with the authority to employ police or corrections personnel.

Pol 101.26 "Imitation controlled drug" means an imitation controlled drug or analog as defined in RSA 318-B.

Pol 101.27 "Mental disorder" means a condition defined in the Diagnostic and Statistical Manual of Mental Disorders of the American Psychiatric Association, also known as DSM-III-R, diagnosed by a psychologist or psychiatrist, based upon mental status examination or psychological testing.

Pol 101.28 "Moral character" means the degree or extent of an individual's honesty and respect for the law.

Pol 101.29 "Moral turpitude" means an illegal act involving dishonesty, deceit, theft, or willful misrepresentation.

Pol 101.30 "Part-time police officer" means any law enforcement officer who is not a full-time police officer and who is:

(a) Authorized to make arrests for violations of the criminal, motor vehicle or boating laws of the state; and

(b) Appointed or elected by one or more units of government as a police officer; and

(c) Performs those law enforcement duties specifically for those units of government including:

(1) Deputy sheriffs;

(2) Special, auxiliary and reserve officers of:

a. A local police department;

b. A county sheriff's department;

c. The division of state police;

d. The division of safety services;

e. The fish and game department;

f. State harbor masters; or

g. A person invested with police powers by a municipal government to perform police functions for a college or university.

Pol 101.31 "Petitioner" means a party seeking action by the council.

Pol 101.32 "Police academy" means the basic training for full-time police officers which is conducted or approved by the council in accordance with the requirements contained in these rules.

Pol 101.33 "Probation/parole academy" means the basic training for state probation/parole officers conducted by the council.

Pol 101.34 "Probation/parole officer" means an "officer" as defined in RSA 188-F:23 (V).

Pol 101.35 "Probationary period" means employment as a police or corrections officer for a period of 12 consecutive months with a single hiring authority.

Pol 101.36 "Promotion" means an advancement in rank, grade or position.

Pol 101.37 "Resignation" means a police or corrections officer giving up his/her position or office.

Pol 101.38 "Serious bodily injury" means "serious bodily injury" as defined in RSA 625:11, VI.

Pol 101.39 "Termination" means ceasing employment as a police or corrections officer, through either resignation, as defined in Pol 101.38, or discharge, as defined in Pol 101.39.

Pol 101.40 "Undue familiarity" means either developing or attempting to develop an inappropriate intimate, personal or financial relationship with a known criminal.

PART Pol 102 DESCRIPTION OF AGENCY

Statutory Authority: RSA 188-F:22-28

Pol 102.01 Scope of Council Authority. The council shall carry out the responsibilities delegated to it in RSA 188-F:26, and shall require hiring authorities to submit reports, documentation and information pertinent to the efficient functioning of the council, as described in these rules.

Pol 102.02 Administration of the Council.

(a) Pursuant to RSA 188-F:25, the council shall be a unit of the new hampshire regional community technical college system.

(b) The enforcement of council rules, the management and supervision of training programs conducted by or under the auspices of the council, the management of council property, the supervision and coordination of council employees and development of standard operating procedures and the conduct of day-to-day council operations shall be the responsibility of the director.

(c) The council shall delegate to the director from time to time such powers as allowed by RSA 188-F:26, XIV-a.

Pol 102.03 Membership of the Council. The council membership shall be as specified in RSA 188-F:24.

Pol 102.04 Officers of the Council. The officers of the council shall consist of a chair and a vice-chair, designated as provided in RSA 188-F:24, III. The vice-chair shall assume the duties of the chair in case of absence or disability.

Pol 102.05 Appointment of Director. The director shall be nominated and appointed as provided in RSA 188-F:26, XIV.

Pol 102.06 Quorum of the Council. A quorum shall consist of 6 members of the council, and as such, can operate with the same authority as the full council.

PART Pol 103 PUBLIC REQUESTS FOR INFORMATION.

Statutory Authority: RSA 188-F:26, IV, and RSA 541-A:2,I(b)

Pol 103.01 Contacting the Council. All requests for information, rules, declaratory judgments or other council action shall be made in accordance with RSA 91-A to the director at the council's headquarters, 17 Fan Road, Concord, NH 03301-7413.

CHAPTER Pol 200 RULES OF PRACTICE AND PROCEDURES

Statutory Authority: RSA 188-F:26, I

PART Pol 201 PURPOSE AND SCOPE

Pol 201.01 Purpose. This chapter provides procedural rules for the conduct of hearings before the council affecting the rights or privileges of any person.

Pol 201.02 Scope. The procedures specified in this chapter shall apply whenever hearings before the council are required by statute or rule.

PART Pol 202 DEFINITIONS

Pol 202.01 "Data" means all information, other than argument, including, but not limited to, comments, reports, maps, surveys, charts, sound recordings, pictorial reproductions, drawings, analyses, graphic representations, computer programs and printouts, testimony, notes, memoranda and documents, whether finished or unfinished.

Pol 202.02 "Ex parte communications" means the transmittal of data or argument concerning the merits of the subject matter of any hearing to or from an officer or employee of the council who is assigned to render a decision or make findings of fact and rulings of law in a given case without prior notice to all parties to the proceeding.

Pol 202.03 "Hearing" means the formal or informal receipt by the council of data or argument, or both, from persons.

Pol 202.04 "Motion" means any application by a party to a proceeding for an order relating to the proceeding.

Pol 202.05 "Order" means a document issued by the council requiring a person to do, or to abstain from doing, something.

Pol 202.06 "Party" means "party" as defined in RSA 541-A:1, X.

Pol 202.07 "Person" means "person" as defined in RSA 541-A:1, XI.

Pol 202.08 "Presiding officer" means "presiding officer" as defined in RSA 541-A:1, XII.

Pol 202.09 "Proceeding" means any investigation or adjudication in which the legal rights, duties or privileges of a person are required by statute or rule to be determined by the council after opportunity for a hearing.

PART Pol 203 PETITIONS TO THE COUNCIL

Pol 203.01 Petitions for Adoption, Amendment, or Repeal of a Rule. The following shall apply to rulemaking petitions:

(a) Any interested person may petition the council, in writing, through the director, requesting the adoption, amendment or repeal of a rule.

(b) Such petitions shall conform to the requirements set out in Pol 203.03.

(c) Such petitions shall be received and disposed of as follows:

(1) Petitions shall be submitted to the office of the director;

(2) If the director decides that any petition is deficient in any respect, the director shall, within 10 working days of receipt of the deficient petition, notify the petitioner in writing of the specific deficiencies and allow the petitioner to amend the petition;

(3) Within 30 days of receipt of a complete petition, the council shall take one of the following actions:

a. Initiate the requested procedure in accordance with RSA 541-A:3 if the requested action is:

1. Within the authority of the council;

2. Consistent with and best implements state statutes affecting the council; and

3. A policy change the council determines to be in the best interest of the state; or

b. Deny the petition, in writing, stating fully the reasons for denial, subject to appeal of the denial to the council.

Pol 203.02 Petitions for Declaratory Rulings. The following shall apply to petitions for declaratory rulings:

(a) Any interested person may petition the council, through the director, requesting a declaratory ruling on the applicability of any statute or rule administered or enforced by the council.

(b) Such petitions shall conform to the requirements set out in Pol 203.03.

(c) Such petitions shall be received and disposed of in the following manner:

(1) Petitions shall be submitted to the director;

(2) If the director determines that any petition is deficient in any respect, the director shall, within 10 working days of receipt of the deficient petition, notify the petitioner in writing of the specific deficiencies and allow the petitioner to amend the petition; and

(3) When a complete petition for a declaratory ruling has been received by the director, the director shall take one of the following actions:

a. Put the item on the agenda for consideration at the next regularly scheduled council meeting; or

b. When legal advice appears necessary, request the opinion of the department of justice within 20 working days, and place the item on the agenda for the next regularly scheduled council meeting on receipt of the attorney general's reply.

(4) The council shall issue a declaratory ruling responsive to an acceptable petition within 60 days of receipt of the acceptable petition, or within 60 days of receipt of the attorney general's reply, as applicable.

Pol 203.03 Petition Information. Each petition for adoption, amendment, or repeal of a rule, or for a declaratory ruling shall conform to the following:

(a) Each petition shall be in legible written form and addressed to the director: Office of the Director, New Hampshire Police Standards and Training Council, 17 Fan Road, Concord, New Hampshire, 03301;

(b) Each petition shall include the name and address of the petitioner, and, if applicable, the name and address of the organization the petitioner represents;

(c) The petition shall state in detail why the council should make such a ruling;

(d) The petitioner shall cite the rule to be amended or repealed and shall specify any amendments to be made. If adoption of a new rule is sought, the petition shall provide the text of the proposed rule. If a declaratory ruling is sought, the petitioner shall cite the statute or rule and provide all information in his or her possession or available to him/her which is material to the declaratory ruling; and

(e) The petitioner shall sign and include the date of the petition.

PART Pol 204 FILING AND SERVICE OF DOCUMENTS

Pol 204.01 Filing of Documents with the Council. The following shall apply to filing of documents with the council:

(a) A document shall be considered filed when it is actually received at the office of the police standards and training council in Concord and conforms with the requirements of this chapter. A document tendered for filing which is patently and facially in violation of the council's rules shall be returned to the sender and not accepted for filing.

(b) All correspondence to the council shall be addressed to the director at the council facility in Concord.

(c) All documents filed shall be filed with an original. Photocopies or facsimile copies shall not be accepted.

Pol 204.02 Subscriptions and Veracity of Documents. All petitions, motions, and replies filed with the council shall be signed by the proponent of the document, or, if the party appears by a representative, by the representative.

Pol 204.03 Service of Documents. The following shall apply to service of documents:

(a) Petitions for rulemaking and petitions for declaratory rulings shall be filed with the council without service upon other persons.

(b) All petitions, motions, replies, exhibits, memoranda, or other documents filed in an adjudicatory proceeding shall be served by the proponent on the council by:

(1) Depositing the document in the United States mail, first class postage prepaid, addressed to the council no later than 7 days prior to the proceeding or action.

(2) Delivering a copy of the document in hand no later than 5 days prior to the date of the proceeding or action.

(c) All notices, orders, decisions, or other documents issued by the council in the course of an adjudicatory proceeding shall be served by the council to all parties to the proceeding by either:

(1) Depositing a copy of the document, first class postage prepaid, in the United States mail, addressed to the last address given to the council by the party being served; or

(2) Delivering a copy of the document in hand to the party.

(d) When a party has appeared by a representative, service shall be upon the representative, provided however, that timely service which is actually received by a party shall be sufficient regardless of whether the party's representative was also served.

(e) Except for exhibits distributed at a prehearing conference or proceeding, every document filed with the council, and required to be served upon the parties to an adjudicatory proceeding, shall be accompanied by a certificate of service, signed by the person making service, attesting to the method and date of service, and the persons served.

PART Pol 205 HEARINGS

Pol 205.01 Representation of Affirmative. The director or his or her designee, or such other person that the council designates shall represent the affirmative side of any proposition brought in the council's name.

Pol 205.02 Designation. The following shall apply to the presiding officer:

(a) Adjudicatory proceedings commenced by the council shall be conducted by a presiding officer.

(b) The chairman, or in his or her absence or recusal, the vice-chairman of the council shall serve as the presiding officer.

(c) The council shall, if it becomes necessary, and without notice or hearing, replace the presiding officer. In the absence or recusal of both the chair and vice-chair, the council shall select by majority vote a presiding officer for the proceeding.

(d) Examples of situation where the replacement of the presiding officer would be necessary shall include but not be limited to:

(1) Illness or incapacity of the presiding officer;

(2) Appearance of a conflict of interest;

(3) Actual conflict of interest; and

(4) Whenever it appears to the council that the interests of the parties involved so require replacement.

Pol 205.03 Informal Conferences. The following shall apply to informal conferences:

(a) Upon agreement of any party, or upon the council's own motion, the presiding officer or, if authorized by the presiding officer, the director shall schedule one or more informal conferences prior to the commencement of formal proceedings. All parties shall be provided prior notice of any informal conference from the director.

(b) Said informal conferences may include, but shall not be limited to, consideration of the following:

- (1) Offers of settlement;
- (2) Simplifications of the issues;
- (3) Stipulations or admissions as to issues of fact or proof by consent of the parties;
- (4) Limitations on the number of witnesses;
- (5) Changes to standard procedures desired during the hearing;
- (6) Stipulations to eliminate repetitive testimony or provide for the taking of depositions by the parties; and
- (7) Any other matters which will aid in the disposition of the proceeding.

(c) The presiding officer or director, as applicable, shall cause all oral proceedings, such as informal conferences and hearings, to be recorded verbatim. These audio recordings shall be part of the record. Any person entitled by RSA 91-A thereto may request a copy of such recording, or request transcription. The requesting party shall pay all actual costs for such transcription.

(d) A proposed order incorporating the matters determined at all prehearing conferences shall be issued and served to all parties.

Pol 205.04 Settlements. The following shall apply to settlements:

(a) Upon agreement by all parties to an offer of settlement, the presiding officer shall cause a formal document to be drawn up which specifies the terms of such settlement.

(b) The settlement shall not become final unless all parties shall sign the agreed upon document and until approved by the council at an official meeting.

(c) By signing the document, all parties shall thereby agree to waive their right to an adjudicatory proceeding.

(d) Copies of the document shall be distributed to all parties, and the original shall be retained by the council.

Pol 205.05 Withdrawal of Action by the Director. The following shall apply to the withdrawal of action by the director:

(a) Notwithstanding the provisions of Pol 205.03, the director or his or her designee shall meet informally at the request of the opposing party prior to any hearing on a complaint being brought by the director or his or her designee, for the purpose of narrowing the issues to be litigated or arriving at a pre-hearing settlement in which the director agrees to withdraw the complaint.

(b) The results of any such conference shall be reduced to writing and signed by all parties to the action.

Pol 205.06 Intervention The following shall apply to intervention:

(a) A non-party may intervene in a matter pending before an agency under the provisions of RSA 5431-A:32 by filing a motion stating facts demonstrating that the non-party's rights or other substantial interests might be affected by the proceeding or that the non-party qualifies as an intervenor under any provision of law.

(b) If the presiding officer determines that such intervention would be in the interests of justice and would not impair the orderly and prompt conduct of the hearing, he or she shall grant the motion for intervention.

(c) Except as limited by the presiding officer under RSA 541-A:32, III, an intervenor shall be entitled to participate in a hearing as a party.

PART Pol 206 CONDUCT OF HEARINGS

Pol 206.01 Notice of Hearings. The following shall apply to notice of hearings:

(a) All notice of hearings shall:

- (1) Be prepared and forwarded so as to afford all parties sufficient opportunity to prepare for and develop the issues to be considered and decided at the hearing;
- (2) Be prepared in writing and forwarded to the parties in a sealed envelope, either through the United States mail or by personal service; and
- (3) Be forwarded to an attorney if the attorney has filed an appearance on behalf of a party.

(b) All notices of hearings shall contain the following:

- (1) The time, date and place of the hearing;
- (2) The legal authority under which the hearing is to be held;
- (3) A brief description of the reasons which have caused said hearing to be called, to include identification of any statute or rule allegedly violated by the party being notified;
- (4) Notice of the existence and availability of rules relative to the conduct of the hearing, and the place said rules may be obtained;
- (5) The necessity, if any, to produce documents or other articles of evidence at the hearing pursuant to the authority contained in RSA 188-F:26, II-a;
- (6) The consequence of failing to appear at the hearings as directed; and
- (7) A statement that upon request, the council will furnish a more detailed statement of the issues involved within a reasonable time.

Pol 206.02 Scheduling of Hearing. The date set for hearing shall allow sufficient and reasonable time for preparation of the case by council and all parties.

Pol 206.03 Failure to Appear. The following shall apply to a failure to appear:

(a) Except as provided in (b), if a party to whom notice has been served in accordance with this chapter fails to appear at a hearing and fails to advise the council of non-appearance prior to the scheduled time of the hearing, he or she shall have a decision rendered against him or her which shall result in adverse administrative action by default.

(b) There shall be no decision rendered against said party if, within 7 days of the originally scheduled hearing, the party can show good cause for failing to appear at the hearing. Good cause shall include illness, accident, death of a family member, or similar problem beyond the party's control.

Pol 206.04 Representation. The following shall apply to representation:

(a) Parties shall have the right to represent themselves, or be represented by an attorney licensed in New Hampshire, or be represented by any individual whom they shall so designate, by assigned writing.

(b) Parties or their representatives shall be permitted to cross examine witnesses, and to present evidence and witnesses on their own behalf.

Pol 206.05 Conduct of Representation. The following shall apply to conduct of representation:

(a) Persons representing parties or intervenors in adjudicative hearings shall treat the process and the following persons with respect, fairness, and candor:

(1) All other participants including parties, intervenors, witnesses, and representatives;
and

(2) Council members and any person presiding over the proceeding.

(b) To comply with (a), above, representatives shall comply with the following:

(1) The representative shall not make a claim or assertion unless there is admissible evidence which supports such claim or assertion;

(2) The representative shall not, personally or through another, deliberately make a false or misleading statement of material fact or law during the course of the proceedings;

(3) The representative shall not, personally or through another, deliberately inhibit or delay access to, conceal unprivileged evidence from other participants, or destroy unprivileged evidence before or during the proceedings;

(4) The representative shall not, personally or through another, knowingly violate the requirements of any provision of this section, regardless of whether or not an advantage is gained thereby;

(5) The representative shall not, during the proceedings:

- a. Offer his or her opinion as to matters at issue in the proceedings, except in opening statements, closing arguments, and when requested by any person presiding over the proceedings; or
- b. Attempt to influence any person presiding over the proceedings on an ex parte basis;

(6) The representative shall not engage in behavior that disrupts the proceedings, including but not limited to:

- a. Delaying the proceedings only for the sake of delay;
- b. Making frivolous claims or filing frivolous motions;
- c. Using language so as to be deliberately offensive or verbally abusive to any participant; and
- d. Employing tactics that have no purpose other than to embarrass or burden any participant;

(7) The representative shall not personally or through another contact any participant directly if the representative knows that such other person also has representation;

(8) A non-attorney representative shall not, pursuant to RSA 311:7, act as a representative for another in more than 3 proceedings in any 2 year period; and

(9) The representative shall not engage in any other act that is in any way dishonest or lacking in candor toward any participant or any person presiding over the proceedings.

(d) For any representative, violation of any provision of (c), above, shall constitute misconduct under these rules.

(e) If any person presiding over the proceedings believes that a representative has committed misconduct during the proceedings, the person shall:

- (1) Warn the representative on the record, indicating the nature of the misconduct believed to have occurred, and take no further action;
- (2) Inform the representative that, after the conclusion of the proceedings, the person presiding over the proceedings will file a complaint alleging misconduct by the representative; or
- (3) Suspend the proceedings and file a complaint alleging misconduct by the representative.

(f) The person presiding over the proceedings shall implement:

- (1) The provisions of (e)(1), above, if the misconduct alleged to have occurred does not prejudice any other participant;

(2) The provisions of (e)(2), above, if the misconduct alleged to have occurred prejudices any other participant, but action can be and is taken to mitigate any such prejudice; and

(3) The provisions of (e)(3), above, if the misconduct alleged to have occurred prejudices any other participant, but action cannot be taken to mitigate any such prejudice, or if a continuing course of misconduct makes it impossible to continue a proceeding.

(g) Any person who, after notice and opportunity for hearing pursuant to Pol 205, is found to have committed misconduct shall be barred from appearing as a representative before the council as provided below:

- (1) For the first act of misconduct the bar shall be for 6 months;
- (2) For the second act of misconduct the bar shall be for one year; and
- (3) For the third or subsequent act of misconduct the bar shall be permanent.

(h) Notwithstanding (g)(3), above, a representative who has been permanently barred from appearing before the council may, after 5 years from the date of the permanent bar order, petition to have the bar lifted. The petition shall provide the information required by (i), below, and state the reasons for their request and outline what assurances they are prepared to give that they will conduct themselves in accordance with these rules in all future proceedings.

(i) Each petition to remove a permanent bar from appearing as a representative before the council shall:

- (1) Be in writing; and
- (2) State the petitioner's name and business address and telephone number.

Pol 206.06 Authority of Presiding Officer. Subject to the statutes and rules governing the council, the presiding officer shall:

- (a) Schedule and hold hearings;
- (b) Regulate and control the course of hearings;
- (c) Administer oaths or affirmations;
- (d) Receive relevant evidence;
- (e) Take official notice of facts which are of common knowledge and general notoriety;
- (f) Dispose of procedural requests, including adjournments or continuances, at the request of parties or on his/her own motion;
- (g) Hold informal conferences to aid in the prompt and efficient disposition of the proceedings;
- (h) Interview and examine witnesses;

- (i) Cause a complete record of any proceeding to be made; and
- (j) Take any other action, consistent with applicable statutes and rules, necessary to conduct and complete the proceeding in a fair and timely manner.

Pol 206.07 Oaths or Affirmations. The presiding officer shall administer an oath or affirmation to all individuals who wish to present testimony at any hearing.

Pol 206.08 Record of Hearing. The following shall apply to the record of the hearing:

(a) The presiding officer shall cause all oral proceedings under this part to be recorded. The recordings shall become part of the record for decision and shall be available to all parties for examination and copying.

(b) The presiding officer shall make available a copy of the recording or transcription to any person entitled under RSA 91-A requesting such within 30 days of such request. The requesting party shall pay all actual costs for such transcriptions or copies.

Pol 206.09 Motions. The following shall apply to motions:

(a) Motions shall be in written form, unless presented at the hearing. All motions shall be included in the record of the proceeding.

(b) Oral motions shall be recorded in full in any transcript of the hearing.

(c) All motions shall be decided by the presiding officer upon the writings submitted, unless oral argument on the motion is presented by a party.

Pol 206.10 Standard and Order of Proof. The party asserting a proposition shall bear the burden of proving the truth of the proposition by a preponderance of the evidence.

Pol 206.11 Burden of Proof. In all proceedings governed by this chapter the party asserting the affirmative of a proposition shall have the burden of proving the truth of that proposition, by a preponderance of the evidence.

Pol 206.12 Evidence. The following shall apply to evidence:

(a) Hearings shall not be bound by the New Hampshire rules of evidence, nor by technical or formal rules of procedure.

(b) All relevant, material evidence shall be admissible. Such evidence may include, but is not limited to, depositions, affidavits, official documents and testimony of witnesses.

(c) The presiding officer shall exclude evidence that is irrelevant, immaterial, or unduly repetitious.

Pol 206.13 Concluding Proceeding. No party shall be required to rest his/her case at a particular time, except when the presiding officer is reasonably certain that all relevant evidence, rebuttal and re-rebuttal have been heard.

Pol 206.14 Ex Parte Communications. Ex parte communications of any kind during the pendency of the proceeding shall be prohibited except as provided in RSA 541-A:36 and Pol 202.02.

Pol 206.15 Continuances. The following shall apply to continuances:

(a) Any party to a hearing may make an oral or written motion that a hearing be continued to a later date or time.

(b) If a postponement is requested by a party to the hearing, it shall be granted if the presiding officer determines that good cause has been demonstrated.

(c) Good cause pursuant to (b) above shall include but is not limited to:

(1) The unavailability of parties, witnesses or attorneys necessary to conduct the hearing;

(2) The likelihood that a hearing will not be necessary because the parties have reached a settlement; or

(3) Any other circumstances that demonstrate that a postponement would assist in resolving the case fairly.

(d) If the later date, time and place are known at the time of the hearing that is being continued, the date, time and place shall be stated on the record. If the later date, time and place are not known at the time of the hearing that is being postponed, the presiding officer shall issue a written order stating the date, time and place of the continued hearing as soon as practicable.

Pol 206.16 Waiver of Hearings Rules. The following shall apply to the waiver of hearings rules.

(a) The presiding officer, upon motion of any party of an action and agreement of all parties to that action, shall waive hearings rules as agreed by the parties.

(b) The rules that are waived shall be made part of the record of the proceedings.

PART Pol 207 FINDINGS AND ORDERS

Pol 207.01 Decisions. The following shall apply to decisions:

(a) All decisions rendered by the council shall be made on the basis of the evidence of record only

(b) Upon written request of any party, a written decision setting forth findings of fact, and conclusions of law, shall be provided.

Pol 207.02 Orders. The following shall apply to orders:

(a) Within a reasonable time after the conclusion of the hearing, the presiding officer shall issue an order reflecting the action to be taken by the council and the reason therefor. Said order shall be sent to the affected person through the United States mail, or by personal delivery.

(b) The order shall constitute a final action on the part of the council.

PART Pol 208 RECONSIDERATION AND STAY

Pol 208.01 Motion for Reconsideration or Rehearing. The following shall apply to a motion for reconsideration or rehearing:

(a) An adjudicatory order of the council, including an order denying a petition for declaratory rulings or rulemaking, shall not be final until the date it is served upon the parties pursuant to Pol 207.02 (a).

(b) Within 30 days after service of a final adjudicatory order of the council, any party may file a motion for reconsideration which, if the action is subject to judicial review under RSA 541, shall serve as a petition for rehearing under that statute. No distinction shall be made between the terms "reconsideration" and "rehearing".

(c) Motions for reconsideration shall not be accepted for orders adopting emergency or interim rules titled under RSA 541-A:18 or RSA 541-A:19, for final proposals filed under RSA 541-A:12, or for final rules modified in response to legislative committee objections pursuant to RSA 541-A:13.

(d) A motion for reconsideration pertaining to (a) or (b) above, shall include any memorandum of law the petitioner wishes to submit, shall identify each error of fact, error of reasoning, or erroneous conclusion contained in the final order which the moving party wishes reconsidered, and shall also concisely state the correct factual finding, correct reasoning, and correct conclusion urged by the moving party.

(e) The council shall grant or deny the motion, or any part thereof, on its merits, or treat the motion as one for reopening, and grant it pending the receipt of such additional data or additional argument as it considers necessary.

Pol 208.02 Reconsideration on the Council's Own Motion. Within the time frame specified in Pol 208.01 (b), the council shall vote to reconsider, revise or reverse any final action on its own motion. If reconsideration is based upon the existing record, prior notice shall not be given to the parties. If the council believes further argument or data should be considered, an appropriate order providing the parties with notice and an opportunity to be heard shall be issued before any revision is made in the council's previous action.

Pol 208.03 Stay of Council Orders. The following shall apply to stay of council orders:

(a) A stay of order action shall be specifically requested. The mere filing of a motion for reconsideration shall not operate as a stay of any order, but a motion for stay may be combined with a motion for reconsideration.

(b) A motion for stay shall be considered only if it is filed within the time period for requesting reconsideration specified in Pol 208.01 (a), and shall demonstrate good cause sufficient to warrant the stay of an action by the New Hampshire superior court.

(c) Examples of good cause shall include, but not be limited to:

- (1) claims of inadequate legal representation at the initial hearing;
- (2) manifest injustice; or
- (3) irreparable financial harm.

(d) The council, acting on its own motion, shall vote to stay the effect of any council order within the time period specified in subparagraph (b), above, with or without issuing a corresponding order to reconsider or reopen the proceeding.

Readopt with amendment Pol 301.01 (#5997), effective 3-4-95, to read as follows:

CHAPTER Pol 300 APPLICATION AND QUALIFICATION

PART Pol 301 APPLICATION PROCEDURES

Statutory Authority: RSA 188-F:23, 26-28

Pol 301.01 High School Diploma or Equivalent. Each applicant shall meet the following requirements relative to applicant's education:

(a) No person shall be employed as a full or part-time police, corrections or probation/parole officer who is not a high school graduate, except as provided in (c) or (d) below.

(b) A legible copy of the person's high school diploma or transcript shall be submitted to the council with the council Form "A".

(c) In the absence of a diploma, the applicant shall submit a General Educational Development (G.E.D.) certificate issued as prescribed by the New Hampshire department of education or an equivalent body of another state or territory.

(d) In the absence of proof of successful high school completion or G.E.D. test, the applicant shall submit a transcript verifying successful completion of 2 years of postsecondary education at any college, university or other postsecondary institution accredited by an accrediting body recognized by the state department of education.

Pol 301.02 Fingerprints and Criminal Record Checks. Each applicant shall meet the following requirements relative to the applicant's fingerprint and criminal and motor vehicle record checks:

(a) The hiring authority shall cause each applicant for employment as a police, corrections or probation/parole officer to be fingerprinted, notwithstanding that the applicant may already be employed by another hiring authority or is already a certified officer. The applicant's fingerprints shall be submitted to the division of state police for the purpose of determining the existence of any criminal history record.

The hiring authority shall also check for the existence of a criminal history record and motor vehicle violation history record in New Hampshire and wherever the applicant has resided.

(b) No applicant who has been convicted of a felony under federal law, or the law of this or any other state, province, territory or country, unless he/she has been pardoned or the conviction has been annulled, shall be appointed as a full-time or part-time police, corrections or probation/parole officer.

(c) Pursuant to RSA 651:5, XI-a, the council shall consider the existence of an annulled criminal record in determining the fitness of an individual to serve as a law enforcement officer, in accordance with the criteria of Pol 301.05 (g).

Pol 301.03 Citizenship. No person shall be appointed as a police officer unless he/she is a citizen of the United States.

Pol 301.04 Physical Examination. Each applicant shall meet the following requirements relative to the applicant's physical examination:

(a) Each uncertified person employed as a full-time police or corrections officer, after being issued a conditional offer of probationary employment by the hiring authority, shall undergo a physical examination by a New Hampshire licensed physician. For the purposes of this rule, "licensed physician" shall also include a licensed health care provider.

(b) The examination shall be conducted in order to provide all of the information specified on the council form "D".

(c) The licensed physician shall provide on council form "D" the following information:

- (1) Name, date of birth, height, weight, and general appearance of examinee;
- (2) Results of a visual acuity test on the examinee;
- (3) Lung breath sounds and rales;
- (4) Date of chest X-ray, if given;
- (5) Chest configuration, measurements and auxiliary nodes;
- (6) Blood pressure, pulse rate, and heart sounds and rhythm at rest, after moderate exercise and three minutes after exercise;
- (7) Condition of circulation to extremities and any abnormalities noted;
- (8) Results of nervous system tests including Romberg and knee-jerk tests;
- (9) Any rectal abnormalities noted;
- (10) Results of abdominal examination and any abnormalities noted;
- (11) Examination of the eyes, ears, nose, throat and teeth, and any abnormalities noted;

- (12) Mobility, symmetry and posture of the musculoskeletal system, including spine, upper and lower extremities, with notation of any limited function or missing parts;
- (13) Results of diabetes screening;
- (14) Any physical, mental or emotional conditions which in the opinion of the physician suggest further examination;
- (15) Results of an EKG test, if required by the hiring authority, or otherwise indicated by abnormal heart sounds and rhythms, or if the applicant is more than 40 years of age;
- (16) A certification that the examining physician has no reservations about the examinee's ability to participate without restrictions in a rigorous physical training program or perform the duties of a police or corrections officer, as appropriate;
- (17) Name, address and signature of physician; and
- (18) Date of examination.

(d) Council form "D" shall also contain a report of medical history section which shall be completed by the examinee.

(e) The medical history section of the Form "D" shall include information regarding:

- (1) History of prior diseases;
- (2) Hospitalizations;
- (3) Medical treatment;
- (4) Allergies;
- (5) Medical disabilities;
- (6) Illnesses or injuries; and
- (7) Whether or not the examinee;
 - a. Has ever been discharged from the military service for medical reasons;
 - b. Received a disability pension or compensation;
 - c. Been denied insurance or refused employment for medical reasons; or
 - d. Has ever sought worker compensation benefits for an accident or illness.

(f) The form shall also contain a signed release by the examinee to allow doctors, hospitals or clinics involved in treatment of the examinee to release the examinee's medical transcript to the council. It shall also contain a section where the examining physician may enter any comments on the reported medical history, and the name, address and signature of the examining physician.

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Pol 301.05 Background Investigation. The following shall apply to the background investigation required on the applicant by the hiring authority:

(a) The hiring authority shall conduct, or cause to be conducted, a background investigation before appointing a person or investing with authority any person elected as a police, corrections or probation/parole officer, notwithstanding that the officer may already be employed by another hiring authority or is already a certified police, corrections or probation/parole officer.

(b) Prospective applicants shall complete a personal history for the hiring authority on a form supplied by the council, including the following information:

(1) Applicant identification information, including:

- a. Full name;
- b. Address;
- c. Telephone;
- d. Nicknames;
- e. Social security number;
- f. Driver's license number;
- g. Height;
- h. Weight;
- i. Hair color
- j. Eye color; and
- k. Scars;

(2) A listing of residences for the past 10 years, including address and dates of residence;

(3) Work history for the last 10 years, including:

- a. Employer;
- b. Supervisor;
- c. Co-worker;
- d. Dates of employment; and
- e. Reason for leaving;

(4) Military record, including:

- a. Dates and branch of service;
 - b. Highest rank held; and
 - c. Disciplinary actions;
- (5) Educational history, including:
- a. High school,
 - b. Colleges/universities and trade schools attended; and
 - c. Major and certification/degrees awarded
- (6) Special qualifications and skills, including:
- a. Licenses held;
 - b. Abilities to operate specialized machinery;
 - c. Foreign language proficiency; and
 - d. Other special skills;
- (7) Convictions, arrests, detentions, and litigation, including for each instance as applicable:
- a. Agencies;
 - b. Charges;
 - c. Disposition; and
 - d. Civil litigation that the applicant was a party to;
- (8) Traffic conviction and accident record, including:
- a. Revocations and suspensions of license,
 - b. Automobile insurance information;
 - c. A listing of the following information for traffic charges and crashes:
 - 1. Dates;
 - 2. Charges;
 - 3. Locations; and
 - 4. Disposition;

- (9) Marital and family history, including identifying information on current and former spouses, children, other dependents, parents and siblings;
- (10) Identifying information on 5 references or acquaintances;
- (11) Financial history, including sources of income, real estate owned, identification of bonds, stock, and bank accounts;
- (12) Financial obligations, including identifying information on all forms of indebtedness; and
- (13) Current date and signature of the applicant.

(c) The hiring authority shall include in its investigation a check of the following sources in order to determine the applicant's character, reliability and honesty:

- (1) Military records;
- (2) Documents, including driver license, social security card, high school diploma and birth, baptism or naturalization records;
- (3) The National Crime Information Center;
- (4) All local police files, and police files in all communities where the applicant has lived or worked;
- (5) State motor vehicle records in each state where the applicant has lived or worked;
- (6) Schools attended within the past 10 years;
- (7) Past and present neighbors, spouses, and landlords;
- (8) Acquaintances and character references, and fraternal and social organizations the applicant belongs to or has belonged to;
- (9) A personal inquiry with the applicant's present and past employers for the past 5 years; and
- (10) Any other sources of information which the above contacts show to be important

(d) One or more of the items specified in (b) (6), (8), and (10) above may be omitted when, in the opinion of the hiring authority the applicant's character and background are so well-known to the hiring authority as to render such action unnecessary.

(e) The hiring authority shall retain in its files until 5 years after termination, a synopsis of the background investigation report. Such files shall be made available for inspection by the director of police standards and training or his/her authorized representative should an occasion arise where the accuracy of those files or compliance with these rules is in question.

(f) The hiring authority shall conduct a personal interview of the applicant.

(g) The hiring authority shall evaluate the results of its background investigation and shall not appoint or invest with authority an applicant who:

- (1) Suffers from a mental disorder, as defined in Pol 101.27 for which he/she has not undergone effective rehabilitation, which would affect his/her ability to perform law enforcement or corrections duties;
- (2) Has ever been convicted of a felony by a civilian court or by a military court, whether or not the charge had been annulled nor whether a suspended sentence was completed, and for which he or she has never received a pardon;
- (3) Has been convicted of a misdemeanor by a civilian or military court and for which he or she has not received a pardon, which offense or the underlying circumstances surrounding the commission thereof was such that it would cause a reasonable person to doubt the applicant's character, honesty or ability;
- (4) Has been convicted in a civilian or military court of multiple misdemeanors or violations for which he or she has not received a pardon, and which would indicate to a reasonable person a pattern of disregard for the law;
- (5) Has been convicted in a military or civilian court in the 10 years immediately before application for hire as a police or corrections officer of a misdemeanor for which he or she has not received a pardon, and which resulted in a serious bodily injury to another person;
- (6) Has ever been dishonorably discharged from the military service;
- (7) Has been discharged from the military service under other than honorable conditions, where the circumstances, in the opinion of a reasonable person, would cast doubt on his/her fitness to be a police or corrections officer;
- (8) Has ever illegally manufactured, transported for sale, or sold a controlled substance;
- (9) Within 36 months before the application for hire, has illegally used a controlled substance other than marijuana, unless the applicant was under the age of 21 at the time of using the controlled substance, in which case 24 months shall apply;
- (10) Within 12 months before the application for hire, has used marijuana;
- (11) While employed in a law enforcement capacity has ever illegally used a controlled substance
- (12) Has knowingly made a material false statement in the application process;
- (13) Has been discharged or allowed to resign in lieu of discharge for reasons of moral character as defined in Pol 101.28 or moral turpitude as defined in Pol 101.29, from employment as a police, corrections or probation/parole officer for acts or omissions of conduct which would cause a reasonable person to have doubts about the individual's honesty, fairness, and respect for the rights of others and for the laws of this State or Nation.

(14) Has a history of illegal drug use which in the opinion of a reasonable person would cast doubt on his/her fitness to be a police, corrections or probation/parole officer;

(15) Uses any legal drugs or alcohol to excess; or

(16) Whose general character and reputation in the community are such that a reasonable person would doubt that the applicant would conduct him/herself with honesty and integrity and uphold the rule of law.

(h) If there is any indication of mental disorder, the applicant shall not be appointed unless the results of a mental status examination conducted by a New Hampshire licensed psychologist or psychiatrist indicates that the applicant is fit for duty as a police or corrections officer.

(i) The hiring authority shall inquire whether certification or license of the person as a police or corrections officer has ever been denied or revoked by the council or by a similar agency in another jurisdiction, and if so, whether the denial or the revocation has been rescinded. The hiring authority shall not appoint an officer whose certification or license is under suspension or revocation in this or any other jurisdiction.

(j) All information, documents and reports obtained by a police or corrections department as part of the background investigation shall be retained by the department along with any criminal record and copies of the personal history statement, the medical examination, the high school diploma or G.E.D. certificate, and the psychological status report if any. Such documents and reports shall be made available for inspection by the director of police standards and training or his/her authorized representative should an occasion arise when the accuracy of those documents or compliance with these rules comes into question.

(k) Prior to admission to the academy or part-time officer training course, or prior to submitting a request for certification based on prior training and experience, the hiring authority shall certify to the council on council form "I", titled "Affidavit of Background Investigation". Completion of this form shall indicate that he/she conducted a background investigation on the applicant in compliance with the provisions of this rule, and caused the applicant to be fingerprinted on an applicant card, and that the department has received or is waiting for written notification from the Federal Bureau of Investigation that the applicant has no criminal history record that would prohibit his/her hiring according to these rules.

(l) The hiring authority shall provide the following information on the Form "I":

(1) The name of the hiring official;

(2) The name of the applicant;

(3) The list of required areas of inquiry listed in Pol 301.05 (c) (1)-(10);

(4) The signature of the hiring official; and

(5) The date of completion.

(m) For purposes of this section, a determination of a lack of "good moral character" shall not be restricted to acts that reflect only moral turpitude, but shall be based upon the consideration of all aspects of a person's character as exemplified by their behavior, including but not limited to the following:

- (1) Violation of a statute of this or any other state, territory or nation for which a penalty may be imposed;
- (2) Conduct involving dishonesty, fraud, or attempted deception regarding an application, examination or other document for securing employment, eligibility, or certification;
- (3) Conduct involving misrepresentation or tampering with official records or reports, tampering with witnesses or falsifying evidence; and
- (4) Conduct that would adversely reflect on a person's fitness to perform law enforcement or corrections duties, including but not limited to:
 - a. The excessive or illegal use of force;
 - b. Intoxication while on duty;
 - c. Sale or use of illegal controlled substances;
 - d. DWI;
 - e. Domestic abuse;
 - f. Undue familiarity with known criminals;
 - g. Sexual harassment;
 - h. Stalking, or criminal violations of a protective order;
 - i. Slandorous use of confidential information;
 - j. Bribery or acceptance of illegal gratuities;
 - k. Theft or misappropriation of funds or property;
 - l. Adultery;
 - m. Child abuse;
 - n. Perjury;
 - o. Assault; or
 - p. Disorderly conduct.

Pol 301.06 Hiring Authority to Notify Council. The following shall apply to notification of the council by the hiring authority:

- (a) The hiring authority shall submit employee status notification form "A" to the council within 15 days of the appointment of a new police, corrections or probation/parole officer.

(b) Form "A" shall contain the following information regarding the employee:

- (1) Full name, social security number, and date of birth,
- (2) Department, address and date of appointment,
- (3) Position,
- (4) Employed full- or part-time,
- (5) Secondary level education,
- (6) Postsecondary level education,
- (7) College major,
- (8) Prior law enforcement experience,
- (9) Whether or not certification is being requested based on prior law enforcement or corrections training and experience,
- (10) Citizenship status,
- (11) For full-time employees, whether or not a physical examination has been performed;
- (12) Certification that the officer meets the council's minimum employment standards
- (13) The signature and title of the hiring authority, and
- (14) The current date.

(c) The hiring authority shall submit employee status notification form "B" to the council within 15 days of the following circumstances:

- (1) Retirement;
- (2) Termination;
- (3) Resignation;
- (4) Promotion;
- (5) Suspension for more than 3 days;
- (6) Demotion;
- (7) Change in status, such as full- time to part-time, or reverse; or
- (8) Death of any police, corrections or probation/parole officer.

(d) Form "B" shall contain the following information regarding the employee:

- (1) Full name, date of birth and social security number,
- (2) Department name and address,
- (3) Effective date,
- (4) Whether promotion, discharge, resignation, retirement, change in status, or death,
- (5) Whether a full or part-time employee
- (6) New rank, if promoted
- (7) Signature and title of hiring authority, and
- (8) The current date.

Pol 301.07 Medical Standards for Part-Time Officers. All uncertified part-time police officers, corrections officers, and probation/parole officers employed by the state of New Hampshire, and all part-time police officers employed by local units of government who have accepted this requirement by approving the necessary funding, shall, prior to hiring, successfully pass the same medical examination according to the same protocols as are required of full-time officer in Pol 301.04.

Pol 301.08 Psychological Screening Test. Each applicant shall meet the following requirements relative to the applicant's psychological screening:

(a) All uncertified police officers, correctional officers, and probation/parole officers employed by the state of New Hampshire, full time or part-time, and all police officers, full time or part-time who are employed by local units of government who have accepted this requirement by approving the necessary funding shall, prior to hiring, successfully pass a psychological screening test battery administered under the direction of a licensed psychologist or psychiatrist.

(b) Such test battery shall be normed for law enforcement occupations and shall be designed to detect both mental illness and behavioral traits that could adversely affect the person's ability to successfully perform the essential functions of a law enforcement, corrections or probation/parole officer.

(c) Such an examination shall be valid for a period of 12 months from the date of administration for purposes of application for such employment, and a valid test given by one department within such time frame may be used by another agency if the second agency has access to the test results.

(d) For the purpose of this section, "administered under the direction of a licensed psychologist or psychiatrist" shall include a test battery of the type herein prescribed that the hiring authority procured from a person, firm or corporation where the scoring and reporting of the results is done by a psychologist or psychiatrist who currently holds a valid license under the laws of any state.

(e) No person shall be hired as a police, corrections or probation/parole officer if the results of the psychological test battery indicate that the candidate is currently suffering from a diagnosable mental illness or exhibits behavioral traits that, in the opinion of the psychologist or psychiatrist, could adversely affect such person's ability to perform the essential functions of a law enforcement officer, or, who, in the

opinion of the psychologist or psychiatrist or the hiring authority exhibits a psychological profile that is incompatible with that which is required for law enforcement duties.

(f) Examples of an incompatible profile shall include but not be limited to:

- (1) A lack of impulse control;
- (2) A lack of anger management;
- (3) A propensity for assaultive behavior; and
- (4) A propensity for illegal sexual behavior.

(g) No person shall be denied employment as the result of such a testing process unless they have been given the opportunity for a personal interview with a licensed psychologist or psychiatrist employed by the hiring authority.

Pol 301.09 Testing Fees Allowed. The following shall apply to the application of testing fees.

(a) A hiring authority, at its option, may assess to applicants a testing fee to cover all or part of the cost of any medical or psychological examination required under this part in cases where the applicant has been tendered a conditional offer of employment; and

(b) A hiring authority may also make repayment of a testing fee part of a training or hiring contract that establishes a minimum term of employment for such an officer.

PART Pol 302 QUALIFICATIONS

Statutory Authority: RSA 188-F:27

Pol 302.01 Police, Corrections and Probation/Parole Basic Training Programs. The following shall apply relative to completion of programs at the police, corrections and probation/parole basic training programs:

(a) Each newly appointed full-time police, corrections or probation/parole officer and each elected full-time police officer shall attend and satisfactorily complete the police, corrections or probation/parole basic training program as applicable when scheduled by the council, within 6 months from the date of original appointment or election.

(b) "Satisfactory completion" of the training program as used in paragraph (a) means:

- (1) Achieving a passing score on all written and practical tests; and
- (2) Meeting all requirements under RSA 188-F:26, V.

(c) No person shall be appointed as a full-time police, corrections or probation/parole officer except on a temporary or probationary basis unless he/she has satisfactorily completed the police, corrections or probation/parole basic training program as appropriate.

(d) The council shall grant an extension of the time limit for the completion of the basic training program upon receipt of a written request from the hiring authority setting forth the reasons therefor for good cause shown.

(e) For the purposes of this section, good cause shall include, but not be limited to, the unavailability of such a program, or an officer being unable to complete the training within the prescribed period because of illness, injury, military service, or special duty assignments made in the public interest.

(f) The termination and subsequent reemployment of a full-time officer by the same hiring authority shall not affect the requirement that he or she attend and satisfactorily complete the police, corrections or probation/parole basic training program as appropriate within 6 months from the date of original appointment.

(g) Officers residing or working in New Hampshire shall complete the required basic training at a New Hampshire police standards and training council program, as appropriate, unless the council due to circumstances beyond its control, such as the cancellation of an academy or lack of enrollment, shall allow a portion of the training to be taken in another state or at another school.

Pol 302.02 Part-Time Officer Basic Training. The following shall apply to the basic training of a part-time officer.

(a) Each newly appointed or sworn part-time officer shall satisfactorily complete the preparatory program of training established by the council within a period of 6 months from the date of original appointment.

(b) "Satisfactory completion" of the training program as used in paragraph (a) means:

(1) Achieving a passing score on all written and practical tests; and

(2) Meeting all requirements under RSA 188-F:26, V.

(c) No person other than a certified police officer shall be invested with the authority of a part-time officer except on a temporary or probationary basis unless he/she has satisfactorily completed the preparatory training required by the council.

(d) The council shall grant an extension of the time limit for completion of certification upon receipt of a written request from the hiring authority setting forth the reasons therefor for good cause shown.

(e) For the purposes of this section, good cause shall include, but not be limited to the unavailability of such a program, or if the officer is unable to complete the program because of illness, injury, military service, or special duty assignments made in the public interest.

(f) The termination and rehiring of a part-time officer by the same hiring authority shall not affect the requirement that he/she attain certification within 6 months from the date of original appointment.

Pol 302.03 Pre-Service Training. The following shall apply to pre-service training:

(a) Each newly appointed or sworn uncertified police, corrections or probation/parole officer shall meet the basic firearm safety and familiarization course requirement prescribed in Pol 404.03 prior to carrying a firearm in the course of duty.

(b) Each newly appointed or sworn uncertified police, corrections or probation/parole officer shall be familiarized by the hiring authority in the proper and legal use of handcuffs or any other restraining devices or weapons issued, as provided in departmental policies and applicable state laws.

(c) Each newly appointed or sworn uncertified police officer who will drive an emergency vehicle on patrol or under circumstances which would require an emergency response shall be familiarized with any of the departmental policies of the hiring authority and with the state laws governing emergency vehicle operation.

Pol 302.04 Part-Time Training Approval.

(a) The council shall conduct a part-time officer training program at such locations as it shall determine based on enrollment projections.

(b) The council shall authorize individual law enforcement agencies or educational institutions to act as its agent and present the part-time officer training program whenever the council determines based on enrollment projections that additional regional basic training programs are needed to prevent delays in meeting the requirements of Pol 302.02.

(c) The council before authorizing regional programs in (b) above shall determine that the instructors for each topic area have training and experience in the topic areas they will instruct. The sponsor of the school shall certify to the council in writing that the instruction shall be conducted in accordance with lesson plans and examinations provided by the council.

Pol 302.05 Railroad Police. The following shall apply to railroad police

(a) Railroad police, as a condition of certification within the meaning of RSA 381, shall meet the minimum educational and training standards as established for part-time officers.

(b) Pursuant to 17 U.S.C. 1746, the Omnibus Crime Act of 1990, a railroad police officer who is employed by a rail carrier and certified or commissioned as a police officer under the laws of any other state shall, and in accordance with regulations issued by the US Secretary of Transportation, not be required to receive additional certification in this state in order to enforce the laws of New Hampshire on railroad property.

(c) This authority shall be limited to enforcement for the purpose of protecting:

- (1) Railroad employees, passengers or patrons;
- (2) Railroad property;
- (3) Equipment and facilities owned, leased, operated or maintained by the rail carrier;
- (4) Property moving in interstate or foreign commerce in the possession of the rail carrier; and

(5) Personnel, equipment and materials moving via railroad that are vital to the national defense.

Pol 302.06 Liquor Commission Investigators. The following shall apply to liquor commission investigators:

(a) Any investigator of the state liquor commission who has the power to enforce the criminal laws under Title XIII of the Revised Statutes Annotated of New Hampshire and the rules of the liquor commission and who is not a certified full-time police officer shall successfully complete the police academy within 6 months of appointment.

(b) Upon termination of employment with the state liquor commission, the certification of any investigator who was certified under the provisions in existence prior to August 13, 1985 shall lapse, and if hired as a police officer by any other hiring authority, he/she shall complete such additional training as the council shall determine is necessary to constitute equivalent training to the police academy

Pol 302.07 Gaming Enforcement Investigators The following shall apply to gaming enforcement investigators:

(a) Any gaming enforcement investigator of the division of state police, department of safety, who is appointed on or after July 1, 1986 and who is not a certified full-time police officer shall successfully complete the police academy within 6 months from the date of appointment.

(b) Upon termination of employment, the certification of any gaming enforcement investigator who was certified under the provisions existing prior to July 1, 1986 shall lapse.

Pol 302.08 New Hampshire Hospital Security. All employees of the New Hampshire Hospital hired as security officers shall complete the council-approved preparatory training program for part-time police officers, in accordance with the provision of RSA 135:43, I, and shall be certified as part-time police officers upon completion of the course.

Pol 302.09 County Fair Security Guards. The following shall apply to county fair security guards:

(a) County fair security guards, before exercising the detention powers contained in RSA 627:8-b, shall satisfactorily complete the New Hampshire law package portion of the training provided for part-time police officers at the expense of the individual or the county fair association. "Satisfactory completion" means the same as in Pol 302.02 (b).

(b) The chief executive officer of the County Fair Association shall conduct a background investigation consistent with the provisions of Pol 301.05 and shall not authorize any person to exercise such detention powers who would be disqualified under Pol 301.05 (g).

(c) Any county fair security guard who is armed with a firearm shall complete the entire part-time police officer's basic training course and shall complete the minimum annual firearms safety requirement in Pol 404.03 at least once a calendar year, at the expense of the individual or the County Fair Association, under the supervision of a council-approved firearms instructor, as outlined in Pol 404.05.

(d) Only security guards who meet the requirements outlined in (a) through (c) above, shall exercise the detention powers contained in RSA 627:8-b. Security guards who will not be exercising such detention powers shall not be required to attend these training courses.

(e) Certified police officers who meet the definitions in Pol 101.24 or Pol 101.30 shall be exempt from the provisions of this section, but shall instead comply with all the requirements applicable to full-time or part-time police officers, as the case may be.

(f) The County Fair Association shall keep on file a current list of all security guards with detention powers, together with documentation of its compliance with these requirements, which shall be open to inspection by the council staff or any police officer with jurisdiction in the area in question. Such records shall be retained for 5 years.

Pol 302.10 New Hampshire Department of Agriculture Inspectors and Forest Rangers. The following shall apply to New Hampshire department of agriculture inspectors and forest rangers.

(a) All inspectors of the New Hampshire department of agriculture who exercise the power of arrest under RSA 438:15-a and forest rangers who exercise the powers of arrest under RSA 224:26, shall:

- (1) Complete the council-approved preparatory training program for part-time police officers; and
- (2) Shall meet all the other qualifications for part-time police officers in accordance with the provisions of RSA 188-F and these rules; and
- (3) Shall be certified as part-time police officers upon completion of the course.

Pol 302.11 Non-Compliance with Council Rules. The following shall apply to non-compliance with council rules:

(a) Upon failure of a hiring authority to comply with council rules despite prior written notification, the council after notice and opportunity for a hearing to the head of the agency and the governing body of the unit of government, shall declare any agency to be out of compliance with council rules and thereby ineligible to participate in the council's training programs at no cost, or to receive specialized training grants, or both, for a period of up to 3 years.

(b) In determining which sanction or sanctions are appropriate, and the proper length of time for any sanction, the council shall consider the following criteria:

- (1) The length of time the agency has been out of compliance;
- (2) Whether or not the rules violations involve areas that could constitute a threat to the public health and safety;
- (3) Whether or not the rules violations involved areas that could expose the employing unit of government or its subordinate employees to civil damages;
- (4) Whether the violations were deliberate and willful;
- (5) The number of separate violations involved; and
- (6) The sanctions that have been imposed for similar violations in the past.

(c) The governing body may request reconsideration of such a decision at any time after 6 months has elapsed or when a new chief executive officer has taken office within the hiring authority or agency.

(c) Nothing in the above paragraph shall limit the right of the council to bring a civil action against the hiring authority through the attorney general's office to seek appropriate orders from the superior court to enforce compliance with council rules.

Pol 302.12 Limitation of Hours, Part-Time Officers.

(a) No part-time police officer shall work a cumulative total of more than 1300 hours in a given calendar year without successfully completing the full-time police academy.

(b) The hiring authority shall submit within 30 days after the conclusion of each calendar year an affidavit certifying that it has complied with the requirement that officers not work more than 1300 hours in a calendar year, and further, provide the council with a list of all part-time officers employed by them and the number of hours worked by each officer in the last calendar year.

(c) In cases where this total is exceeded by an officer who is employed by more than one hiring authority, it shall be the responsibility of the individual police officer to forthwith notify each hiring authority that he/she has reached the maximum permissible hours and is unavailable for further duty during the calendar year unless and until a hiring authority has enrolled the officer in the police academy.

(d) No hiring authority shall schedule an officer for further duty once it becomes aware by any means that the officer has exceeded the cumulative total hours.

(e) Part-time police officers serving as radio dispatchers shall not count the hours spent dispatching if they are prohibited from functioning as a police officer during those hours.

(f) Dog officers and animal control officers who do not have the power of arrest for other types of violations shall not be considered to be police officers and shall not report their hours as such.

(g) Bailiffs shall be considered police officers and shall be certified as such unless their duties are limited to maintaining order in the courtroom, custody of prisoners at the courthouse, and carrying out related activities such as security on jury views at the discretion of the presiding justice.

(h) Part-time police officers shall not report their on-call time if they are remaining at home out of uniform, engaged in personal pursuits and awaiting calls.

(i) Part-time police officers while serving as an animal control officer shall count their hours toward the 1300 hours requirement unless all of the following conditions apply:

(1) The officer's uniform or insignia shall be differentiated from that of a police officer with the same department;

(2) The officer shall not be armed with a firearm other than a weapon necessary for the destruction of an animal; and

(3) The officer shall not drive a vehicle marked or identified as other than an animal control vehicle.

Pol 302.13 Attendance by Non-Police Personnel. The following shall apply to attendance by non-police personnel under the provisions of RSA 188-F:32-a:

(a) The director shall whenever he or she determines it is in the public interest permit persons who are not police, corrections or probation/parole officers as defined by RSA 188-F:23 and these rules to attend council-sponsored programs upon payment of a fee of \$15 per instructional hour.

(b) For the purpose of this rule, "In the public interest" means there are extra seats available in the class and the morale of the class, pace of instruction, and confidentiality of police tactics will not be compromised by allowing the applicant to attend.

(c) The director shall fully or partially waive fees and other charges for employees of another state agency or unit of government upon determining that the occupation or work assignment of the employee involves frequent contact with law enforcement agencies or an investigative or law enforcement function, and that the public interest will be served by the person's attendance at the training program.

(d) The director shall fully or partially waive fees or charges for out-of-state police or corrections officers or federal employees where it appears that the council or its programs would benefit by their attendance at a particular training program.

(e) The director shall restrict attendance to certain courses, such as high-risk patrol, defensive tactics, intoxilyzer operator, and firearms classes, to persons who are police officers as defined in RSA 188-F:23, subject to appeal on a case-by-case basis to the council and the board of trustees of the department.

(f) The director shall, unless he or she deems it inappropriate due to the nature of the course, require persons who are not police, state corrections or probation/parole officers who apply to attend such classes to sign a release for disclosure of their criminal records.

(g) The potential student shall be required to defray the cost of securing copies of criminal and motor vehicle records from every jurisdiction where the applicant has resided, and from the Federal Bureau of Investigation. Any person whose background would disqualify him/her from appointment as a police, corrections or probation/parole officer under Pol 301.05 shall be denied admittance to such courses.

Pol 302.14 Use of the Council Facility. The following shall apply to the use of council facility:

(a) The police standards and training council facility shall be for the use of agencies within the criminal justice system, with first priority given to police agencies. Such agencies shall submit their requests for use of the facility to the director, who shall act upon such requests based on available space and compatibility with scheduled council programs.

(b) The director shall offer overnight accommodations without charge on a space available basis to police, corrections or probation/parole officers attending council-sponsored programs and who live further than 45 miles from the training facility. Free overnight accommodations shall be provided to others if space is available, and when the director feels it will enhance their learning experience. Accommodations shall be denied to officers who have previously violated posted behavior rules while staying at the facility.

(c) A fee of \$50 dollars per night, payable to the council in advance, shall be charged persons staying overnight at other than council programs, or for persons who are not police, corrections or probation/parole officers, except that the director shall waive this fee in his/her discretion using the same criteria as in Pol 302.13 (b) and (c).

(d) No fee shall be charged for use of classrooms by government or non-profit organizations during the hours when the facility is open to the public. At other times or for other uses, the agencies or persons shall pay a fee to defray the actual cost of janitorial services, and utilities, except that the fee shall be waived using the same criteria as in Pol 302.13 (b) and (c).

Pol 302.15 Behavior in Training Facility. The following shall apply to behavior in the training facility:

(a) Persons using the police standards and training facility shall, as a condition of their use of the facility, be neatly attired in their official department uniforms or otherwise, as follows:

(1) For male personnel a suit or sports jacket with dress shirt and tie, or sports shirt and sweater shall be acceptable; and

(2) For females, a dress or skirt and blouse or sweater combination; or slacks and coordinated blouse shall be acceptable.

(b) They shall exhibit courtesy and abide by all laws and facility rules at all times, and shall be required to leave the premises or be denied admittance if in violation of this rule, and shall be subject to dismissal.

CHAPTER Pol 400 CONTINUED STATUS

PART Pol 401 RENEWAL

Statutory Authority: RSA 188-F:27, III

Pol 401.01 Lapse in Service. The following shall apply to lapses in service:

(a) The certification of a police, corrections or probation/parole officer shall lapse if the officer terminates employment and is not employed as a police, corrections or probation/parole officer within a period of 30 days after such termination.

(b) If the person whose certification has lapsed is re-employed as a police, corrections or probation/parole officer after his/her certification has lapsed, the hiring authority may request re-certification without additional training, which the council shall grant unless the council determines that the basic training curriculum has materially changed since the officer was originally certified and the council determines from the record that the officer's ongoing training would not adequately familiarize the officer with the substantive changes.

(c) The certificates of certified police, corrections or probation/parole officers employed by the council in full-time training or administrative capacities shall not lapse while they are so employed.

PART Pol 402 OWNERSHIP AND REVOCATION OF CERTIFICATES

Statutory Authority RSA 188-F:27, III

Pol 402.01 Ownership of Certificates. All certificates and documents issued by the council shall remain the property of the council, and shall be returned to the council forthwith upon revocation, suspension or expiration.

Pol 402.02 Revocation or Suspension.

(a) The council shall, unless it has just cause to do otherwise as provided in (d) below, order the suspension or revocation of the certification of any police or corrections officer for any of the following reasons:

- (1) The certification was obtained by fraudulent or illegal means;
- (2) The officer has been convicted either prior to or after certification of a crime which constitutes a felony in this or any other state, territory, province or country;
- (3) The officer has been convicted either prior to or after certification of a misdemeanor for which there was a sentence of incarceration, regardless of whether all or part of the sentence was suspended;
- (4) The officer has been convicted either prior to or after certification of a crime of moral turpitude or of a crime which tends to bring discredit on the police or corrections service, including but not limited to:
 - a. Theft;
 - b. Assault;
 - c. DWI;
 - d. Criminal threatening;
 - e. Reckless conduct;
 - f. Corrupt practices;
 - g. Falsification of documents or evidence;
 - h. Fraud;
 - i. Sexual assault;
 - j. Public indecency;
 - k. Stalking or criminal violation of a protective order;
 - l. Reckless driving; or

m. Disobeying an officer;

(5) The officer's discharge has become final or he or she has been allowed to resign in lieu of discharge from police or corrections employment in this or any other state, country, or territory for reasons of a lack of moral character as defined in Pol 101.28 or moral turpitude as defined in Pol 101.29 or for acts or omissions of conduct which would cause a reasonable person to have doubts about the individual's honesty, fairness, and respect for the rights of others and for the laws of the state or nation.

(6) The officer has, after being hired as a police, corrections or probation/parole officer:

a. Used marijuana;

b. Illegally used or possessed any other controlled substance; or

c. Illegally purchased, sold, cultivated, transported, manufactured, or distributed a controlled drug or an imitation controlled drug.

(7) The officer is unable to continue as an active duty police, corrections or probation/parole officer for a period of 45 days or more by reason of a severe level mental disorder as diagnosed by a psychologist or psychiatrist who uses mental status examinations and standardized psychological tests normed for police or corrections officers;

(8) A chief law enforcement officer has willfully violated council rules relative to himself or herself or the officers working under his/her control, or submitted false or forged documents, or misrepresented a document or testimony before the council;

(9) The officer's certificate was issued through administrative error;

(10) The officer has failed or refused to complete the applicable firearms training requirements of Pol 404.03 or the in-service training requirements of Pol 403.01; until the requirements have been met;

(11) A part-time officer has worked more than 1300 hours in a given consecutive 365-day period without successfully completing the full-time academy.

(12) The officer has entered no plea or an innocent plea to a criminal offense, and agreed to participate in a diversion program in lieu of a trial.

(b) A certification shall be temporarily suspended pending resolution of criminal charges if the officer has been arrested, indicted or bound over either prior to or after certification for a felony or any crime involving moral turpitude or of a crime which tends to bring discredit on the police, corrections, or probation/parole service, unless the safety of the public or the confidence in the criminal justice system would not be adversely affected.

(c) Examples of crimes that involve moral turpitude or of a crime which tends to bring discredit on the police, corrections or probation/parole service shall include but not be limited to:

(1) Theft;

- (2) Assault;
- (3) DWI;
- (4) Criminal threatening;
- (5) Reckless conduct;
- (6) Corrupt practices;
- (7) Falsification of documents or evidence resulting in unsworn falsification, false testimony or evidence tampering;
- (8) Fraud;
- (9) Sexual assault; and
- (10) Public indecency.

(d) A certification shall be suspended if the officer has attempted suicide or self-mutilation, or committed self-mutilation, until such time as an evaluation by a licensed psychologist selected by the council certifies the person as fit for duty;

(e) The council shall not order suspension or revocation of a certification as above if it finds just cause not to do so.

(f) Examples of just cause pursuant to (e) above shall be as follows:

- (1) The charges against the officer were not proven by a preponderance of the evidence; or
- (2) Suspension or revocation would not have a rehabilitative value, or promote a legitimate public interest; or
- (3) The officer's health or service status makes suspension or revocation a needless gesture.

(g) If a person has been denied a certificate after exhausting all appeals under this section, the council shall accept a petition for rescission of the denial no sooner than 12 months following the date of denial. The petitioner shall state in writing the reasons why the denial should be rescinded.

(h) If a person has had their certificate revoked after exhausting all appeals under this section, the council shall accept a petition for rescission of the revocation after no sooner than 24 months following the date of denial. The petitioner shall state in writing the reasons why the action should be rescinded. The action shall be rescinded if conditions or circumstances have changed so that the basis for the action no longer exists.

(i) If a petition for rescission is based on one or more of the reasons set out in Pol 402.02, a hearing on the petition shall be held as provided in Pol 200. If the denial is rescinded, the petitioner shall be eligible for hire by a participating police department, but shall serve a probationary period before he/she shall be recertified.

(k) For purposes of this section, a determination of a lack of "good moral character" is not restricted to acts that reflect only moral turpitude, but shall be based upon the consideration of all aspects of a person's character as exemplified by their behavior, including but not limited to the following:

- (1) Violation of a statute of this or any other state, territory or nation for which a penalty may be imposed;
- (2) Conduct involving dishonesty, fraud, or attempted deception regarding an application, examination or other document for securing employment, eligibility, or certification;
- (3) Conduct involving misrepresentation or tampering with official records or reports, tampering with witnesses or falsifying evidence; and
- (4) Conduct that would adversely reflect on a person's fitness to perform law enforcement or corrections duties, including but not limited to:
 - a. The excessive and illegal use of force;
 - b. Intoxication while on duty;
 - c. Sale or use of illegal controlled substances;
 - d. DWI;
 - e. Domestic abuse;
 - f. Undue familiarity with known criminals;
 - g. Sexual harassment;
 - h. Stalking or criminal violations of a protective order;
 - i. Slanderous use of confidential information;
 - j. Bribery or acceptance of illegal gratuities;
 - k. Theft or misappropriation of funds or property;
 - l. Adultery;
 - m. Child abuse;
 - n. Perjury;
 - o. Assault; or
 - p. Disorderly conduct.

PART Pol 403 CONTINUING EDUCATION

Statutory Authority: RSA 188-F:26, III

Pol 403.01 Refresher Training.

(a) Each police or corrections officer shall complete at least 8 hours annually of refresher training, exclusive of firearms, first aid or defensive tactics, conducted by the hiring authority or the council.

(b) The hiring authority shall submit to the council 30 days after the conclusion of each calendar year a certification that it has complied with this requirement, and shall retain in its files for 5 years a copy of the lesson outlines and attendance rosters of any training relied upon to satisfy the requirement.

PART Pol 404 ONGOING REQUIREMENTS

Statutory Authority: RSA 188-F:26, 188-F:27, III

Pol 404.01 Police or Corrections Officer Certification. Whenever persons are certified as police or corrections officers, notification shall be forwarded to the hiring authority, who shall transmit the original to the officer and retain any copies in its file.

Pol 404.02 Advanced Training Documentation. Upon completion of in-service or advanced training sponsored by the council, the council shall send notification to the hiring authority, who shall transmit the originals to the officer and retain any copies in its file.

Pol 404.03 Firearms Training Requirement.

(a) Prior to the issuance or carrying of a firearm or other defensive weapon and every calendar year thereafter, all law enforcement, corrections or probation/parole officer who are authorized to use force in the course of their employment shall meet the minimum standards established in Pol 302.03, including proficiency with each such weapon monitored and documented in the case of firearms by a council-certified firearms instructor, and in the case of other weapons by an instructor deemed by their department to be qualified to evaluate proficiency in that particular weapon.

(b) Officers shall complete the handgun course utilizing a silhouette target with a minimum qualification score of 75%, two consecutive times.

(c) The handgun course shall consist of the following elements:

- (1) The officer shall fire 2 sets of 2 rounds beginning with weapon in holster with the strong hand in 3 seconds from the 3 yard line;
- (2) The officer shall fire 3 rounds right hand and 3 rounds left hand in 7 seconds from the 5 yard line;
- (3) The officer shall fire one set of 6 rounds beginning with weapon in holster cover down in 8 seconds from the 7 yard line;
- (4) The officer shall fire one set of 6 rounds beginning with weapon in holster cover down in 10 seconds from the 10 yard line;

(5) The officer shall complete the following sequence from the 15 yard line in a total of 25 seconds:

- a. Fire 2 rounds strong hand from the right side of cover;
- b. Fire 2 rounds strong hand from a kneeling position on the right side of cover;
- c. Reload the weapon;
- d. Fire 2 rounds strong hand from the left side of cover; and
- e. Fire 2 rounds strong hand from a kneeling position on the left side of cover; and

(6) The officer shall fire 3 segments of 2 rounds each in 12 seconds per segment from the 25 yard line, with each segment including each of the following actions:

- a. The officer shall begin 5 yards behind a barricade;
- b. Upon command, the officer shall move into a kneeling position behind barricade; and
- c. The officer shall draw his/her weapon with the strong hand, fire 2 rounds at the target, and holster the weapon.

(d) Agencies that use semiautomatic pistols or otherwise wish to utilize a unique firearms course shall submit a complete description of the proposed training. The director shall approve such a course if it provides an equivalent level of shooter accuracy and proficiency as the courses outlined in (c) above, including distances that simulate both close-range and distant encounters, and multiple timed firing.

(e) All in-service law enforcement, corrections and probation/parole officers who are issued or carry a defensive weapon and who are authorized to use force in the course of their employment, shall in addition to annual firearms range qualification attend and complete at least once each calendar year a refresher training segment or segments of not less than 4 hours regarding the use of deadly and non-deadly force.

(f) Such training shall include a classroom presentation of:

- (1) The lawful use of deadly and non-deadly force;
- (2) The concept and application of the force continuum;
- (3) High speed vehicle operation and the use of roadblocks and, if applicable to that agency, tire deflation devices;
- (4) The use of impact weapons and handcuffs;
- (5) Unarmed self-defense;
- (6) Precautions against positional asphyxia and in-custody death syndrome;
- (7) The safe handling , storage, cleaning and deployment of firearms on- and off-duty;

(8) The administration or provision of appropriate medical aid after the application of force; and

(9) Agency policies concerning these subjects.

(g) Each of the areas in (f) above need not be covered each year, but all shall be discussed within a 3-year cycle, and if the officer is issued or carries firearms, (1), (2), (7), (8), and (9) shall be discussed annually.

(h) The classroom presentation and discussion shall be led by a council certified firearms instructor and shall be no less than one hour in length.

(i) The remaining 3 hours shall consist of, at the option of the hiring authority:

- (1) Classroom training;
- (2) Text-based training;
- (3) Decision training;
- (4) Additional low-light-level shooting;
- (5) Defensive tactics;
- (6) Weapon retention,
- (7) Handcuffing;
- (8) Impact weapon; or
- (9) Defensive spray refresher instruction.

(j) This training will be conducted by a council-certified firearms instructor, or in the case of non-firearms training, an instructor deemed qualified by their department to conduct such training, using appropriate safety precautions.

(k) Proficiency shall be documented and monitored by the department and records retained for a 3-year period and subject to examination and audit by the director or his or her authorized agent.

Pol 404.04 Annual Certification. The following shall apply to annual certification:

(a) Agencies shall submit no later than 30 days after the conclusion of each calendar year, on a council form "F", certification that each police or corrections officer employed by them has successfully completed all the requirements prescribed by these rules during the preceding calendar year. Such certification shall be attested to by a council-approved firearms instructor.

(b) Council Form "F" shall contain the following information:

- (1) The full name of each officer,
- (2) The officer's department,

- (3) Whether the officer passed or failed,
- (4) Whether or not 4-hour classroom phase was included,
- (5) The date of completion, and
- (6) The instructor's name and signature.

Pol 404.05 Firearms Instructor Qualifications. The following shall apply to firearms instructor qualifications:

(a) To be approved by the council as a firearms instructor, police, corrections or probation/parole officers shall submit their credentials to the director prior to commencement of a firearms training course.

(b) Persons shall be approved if they successfully complete one of the following:

- (1) Council firearms instructor school;
- (2) F.B.I. firearms instructor school;
- (3) National Rifle Association police firearms instructor course;
- (4) Another course which the director has determined requires the officer to demonstrate the equivalent level of skills and knowledge with an automatic pistol which the course noted in Pol 404.03 (b) provides, taking into consideration the make and type of weapon used.

(c) To maintain instructor certification, an instructor shall satisfy the council that he/she has:

- (1) Instructed or assisted in at least one firearms training program each calendar year; and
- (2) Attended one annual council-sponsored firearms instructor refresher course every second calendar year.

Pol 404.06 Ongoing Medical Suitability for Physical Fitness Testing. The following shall apply to ongoing medical suitability for physical fitness testing:

(a) As of January 1, 2001, any officer not meeting the criteria set out below shall be required, as a condition of continued employment, to furnish the council with a certification every 3 years that the person is physically capable of participating in the physical performance test currently prescribed as the entrance test for officers in the full-time police officer basic training program:

- (1) On January 1, 2001 the officer is certified as a police, state corrections or probation/parole officer in the State of New Hampshire or any political subdivision; or
- (2) The officer is employed as a police, state corrections or probation/parole officer by the State of New Hampshire or any political subdivision pending certification prior to January 1, 2001 and remains employed on January 1, 2001 in the same position; or

(3) The person was previously certified and s/he retains new employment as a police, state corrections or probation/parole officer in the State of New Hampshire or any political subdivisions and the lapse in police or corrections employment was less than 3 years between the last employment prior to December 31, 2000 and the new employment after January 1, 2001.

(b) This certification shall be conducted by a licensed physician, physician's assistant or registered nurse practitioner according to protocols prescribed in Pol 301.04.

(c) The cost of the examination shall be the responsibility of the officer, unless the examination is paid for by the employer or another source.

(d) In any case where the council has reasonable grounds to doubt that the medical examination performed in accordance with this rule was performed in accordance with the council's prescribed protocols, the council shall require the officer to submit to a separate examination by a physician of the council's choosing, at the council's expense. If the examination conducted for the council results in disqualifying the officer, the officer may, at his or her own expense, be given a third examination by referee physician mutually agreed upon by the council and the officer, and the results of the referee examination shall control.

(e) Any officer who is unable to pass the medical examination shall have his/her certification placed in probationary status for a period of 6 months, which shall be extended by the council for good cause as defined in Pol 302.01 (e). The probationary status may extend for up to 2 years, during which time the officer may submit medical evidence of suitability for testing at any time. If the officer remains unable to meet the standards after the 2 year period, the council shall suspend the officer's certification until such time as the officer is able to pass the medical evaluation and physical performance test.

Pol 404.07 On-Going Physical Fitness Testing. The following shall apply to on-going physical fitness testing:

(a) As of January 1, 2001, any officer not meeting the criteria set out below shall be required, as a condition of continued employment, to successfully pass the physical performance test currently prescribed as the entrance standard for full-time officers into the full-time police officer basic training program once every 3 years.

(1) On January 1, 2001 the officer is certified as a police, state corrections or probation/parole officer in the State of New Hampshire or any political subdivision; or

(2) The officer is employed as a police, state corrections or probation/parole officer by the State of New Hampshire or any political subdivision pending certification prior to January 1, 2001 and remains employed on January 1, 2001 in the same position; or

(3) The person was previously certified and s/he retains new employment as a police, state corrections or probation/parole officer in the State of New Hampshire or any political subdivisions and the lapse in police or corrections employment was less than 3 years between the last employment prior to December 31, 2000 and the new employment after January 1, 2001.

(b) The cost of the testing shall be the responsibility of the officer, unless the testing is paid for by the employer or another source.

(c) Nothing in this section shall prohibit individual hiring authorities from requiring physical fitness programs or tests that are more stringent or frequent than those required by this rule.

(d) No officer who has failed the medical examination required in Pol 404.06 shall be allowed to participate in the physical fitness testing required by this rule.

CHAPTER Pol 500 ETHICAL STANDARDS

PART Pol 501 REPORTING OF ETHICS VIOLATIONS

Statutory Authority: RSA 188-F:26

Pol 501.01 Report of Arrests.

(a) Every state, county or local law enforcement agency in New Hampshire, upon arresting or formally charging any person known or identified to them to be a full-time or part-time police or corrections officer in this or any other state for a violation of the criminal law other than a minor motor vehicle violation, shall within 15 days notify the director by mail on council form "G".

(b) For the purposes of this section, serious motor vehicle violations for which a mandatory license suspension as part of the penalty shall not be considered a minor motor vehicle violation.

(c) Council form "G" shall contain the following information:

- (1) The arresting department's name,
- (2) The arrested officer's full name, address, date of birth, social security number and department affiliation,
- (3) The date and location of arrest,
- (4) The formal charge and statute number,
- (5) The date, time and location of court appearance, and
- (6) The signature of an official of the arresting agency.

CHAPTER Pol 600 TRAINING APPROVAL

PART Pol 601 APPROVAL OF TRAINING

Statutory Authority: RSA 188-F:26

Pol 601.01 Requesting and Maintaining Approval. The following shall apply to requesting and maintaining approval of training:

(a) Any agency or accredited educational facility, if it seeks approval of in-service and advanced training courses and programs, shall apply to the council for such approval.

(b) The requesting agency shall submit its proposal to the council, not less than 60 days prior to commencement of the proposed course or program.

(c) The director shall review all information submitted and make a report of his/her findings to the council.

(d) The council shall not approve a course unless the following is received:

- (1) Performance objectives covering the functional area;
- (2) Detailed lesson plans;
- (3) Examinations testing the performance objectives; and
- (4) Instructor resumes.

(e) The council shall base its approval on the sufficiency of the material submitted, and the extent to which the training corresponds to current practice.

(f) The council shall monitor any approved course and shall withdraw its approval if it determines that the program is not maintaining a course content and level of instruction that will result in achieving the performance objectives outlined for the course.

PART Pol 602 TRAINING RECORDS

Statutory Authority: RSA 188-F:22-28, RSA 91-A:5, IV

Pol 602.01 Training Records. The following shall apply to training records:

(a) The council shall maintain a file on each officer including:

- (1) Employee status notification forms;
- (2) Proof of high school diploma or equivalent;
- (3) Administrative correspondence;
- (4) Class records of attendance and grades at any training programs conducted by the council; and
- (5) The medical evaluation forms submitted for full-time officers.

Pol 602.02 Agency Training Files. The following shall apply to agency training files:

(a) Training records and documents relating to an applicant or officer may be reviewed by the applicant or officer. Any information that indicates that a person might not qualify for certification as a police or corrections officer, or which reflects adversely upon their ability to be a competent officer shall,

unless the council determines otherwise upon advice of the attorney general, be furnished by the council to a police or corrections department that has hired or is considering hiring the person.

(b) Upon written request of the hiring authority, the council shall temporarily seal from public disclosure the name of an officer assigned to undercover duties when its public disclosure would jeopardize the officer or the assignment, until such time as the undercover assignment has been terminated.

Pol 602.03 Time and Compensation Records. The following shall apply to time and compensation records:

(a) Each hiring authority or agency shall maintain for a period of 5 years, a record of gross earnings, hours worked and the hourly rate of pay of each part-time police officer, which record together with all supporting documentation shall be open to inspection by the council upon request.

(b) Each hiring authority shall certify under oath to the council by no later than 30 days after the close of each calendar year that each part-time police officer in their employ has not exceeded the maximum salary or hours requirement specified in these rules.

Appendix A

Table of Statutory Authority

Rule	State or Federal Statute or Mandate
PART Pol 101 inclusive	RSA 188-F:26, I; RSA 541-A:7; RSA 541-A:8
Pol 102.01	RSA 541-A:16, I; RSA 188-F:
Pol 102.02	RSA 541-A:16, I; RSA 188-F:25, RSA 188-F:26, XIV, RSA 188-F:26, XIV-a
Pol 102.03	RSA 541-A:16, I; RSA 188-F:24, I
Pol 102.04	RSA 541-A:16, I; RSA 188-F:24, III
Pol 102.05	RSA 541-A:16, I; RSA 188-F:26, XIV
Pol 103.01	RSA 541-A:16, I, (b), 3; (c) and (d)
Pol 201.01	RSA 541-A:30-a, I
Pol 201.02	RSA 541-A:30-a, I
Pol 202.01	RSA 541-A:30-a, I
Pol 202.02	RSA 541-A:30-a, I
Pol 202.03	RSA 541-A:30-a, I
Pol 202.04	RSA 541-A:30-a, I
Pol 202.05	RSA 541-A:30-a, I
Pol 202.06	RSA 541-A:1, X; RSA 541-A:30-a, I
Pol 202.07	RSA 541-A:1, XI; RSA 541-A:30-a, I
Pol 202.08	RSA 541-A:1, XII; RSA 541-A:30-a, I
Pol 202.09	RSA 541-A:30-a, I
Pol 203.01	RSA 541-A:4
Pol 203.02	RSA 541-A:16, I, (d)
Pol 203.03	RSA 541-A:16, I, (d)
Pol 204.01	RSA 541-A:30-a, III (a)
Pol 204.02	RSA 541-A:30-a, III (a)
Pol 204.03	RSA 541-A:30-a, III (a)
Pol 205.01	RSA 541-A:30-a, III, (g)
Pol 205.02	RSA 541-A:30-a, III, (g)
Pol 205.03	RSA 541-A:31, V
Pol 205.04	RSA 541-A:31, V (a)
Pol 205.05	RSA 541-A:31, V (a)
Pol 205.06	RSA 541-A:31, V (a)
Pol 206.01	RSA 541-A:31, III
Pol 206.02	RSA 541-A:31, III
Pol 206.03	RSA 541-A:30-a, III, (b)
Pol 206.04	RSA 541-A:30-a, III, (g)
Pol 206.05	RSA 541-A:30-a, III, (g)
Pol 206.06	RSA 541-A:30-a through 38
Pol 206.07	RSA 541-A:33, I
Pol 206.08	RSA 541-A:31, VII
Pol 206.09	RSA 541-A:31, IV, VII
Pol 206.10	RSA 541-A:33, II
Pol 206.11	RSA 541-A:30-a: III, (g)
Pol 206.12	RSA 541-A:33, II
Pol 206.13	RSA 541-A:31, IV

Pol 206.14	RSA 541-A:36
Pol 206.15	RSA 541-A:30-a, III, (h)
Pol 206.16	RSA 541-A:37
Pol 207.01	RSA 541-A:31, VIII
Pol 207.02	RSA 541-A:35
Pol 208.01	RSA 541-A:12; RSA 541-A:13; RSA 541-A:18; RSA 541-A:19; RSA 541-A:30-a
Pol 208.02	RSA 541-A:30-a
Pol 208.03	RSA 541-A:30-a
Pol 301.01	RSA 188-F:27, III
Pol 301.02	RSA 188-F:27, III; RSA 651:5, XI-a
Pol 301.03	RSA 188-F:27, III
Pol 301.04	RSA 188-F:27, III
Pol 301.05	RSA 188-F:27, III, V
Pol 301.06	RSA 188-F:26, II
Pol 301.07	RSA 188-F:26, III-a
Pol 301.08	RSA 188-F:26, III-c
Pol 301.09	RSA 188-F:27, III-l
Pol 302.01	RSA 188-F:26, V, RSA 188-F:27, I
Pol 302.02	RSA 188-F:26, V, RSA 188-F:27, I
Pol 302.03	RSA 188-F:26, V
Pol 302.04	RSA 188-F:26, VII
Pol 302.05	17 U.S.C. 1746, RSA 381, RSA 188-F:27, I
Pol 302.06	RSA 176:7; RSA 188-F:27, I
Pol 302.07	??, RSA 188-F:27, I
Pol 302.08	RSA 135:43, I; RSA 188-F:27, I
Pol 302.09	RSA 627:8-b; RSA 188-F:27, I
Pol 302.10	RSA 438-15-a; RSA 224:26; RSA 188-F:27, I
Pol 302.11	RSA 188-F:26, I
Pol 302.12	RSA 188-F:27, III
Pol 302.13	RSA 188-F:32
Pol 302.14	RSA 188-F:26, XII
Pol 302.15	RSA 188-F:26, V
Pol 401.01	RSA 188-F:27, III
Pol 402.01	RSA 188-F:26, XII
Pol 402.02	RSA 188-F:26, IV
Pol 403.01	RSA 188-F:26, III
Pol 404.01	RSA 188-F:26, III
Pol 404.02	RSA 188-F:26, XII
Pol 404.03	RSA 188-F:26, III, RSA 188-F:27, III
Pol 404.04	RSA 188-F:26, II
Pol 404.05	RSA 188-F:26, V
Pol 404.06	RSA 188-F:27, III-b; RSA 188-F:27, III-f through III-k
Pol 501.01	RSA 188-F:26, II
Pol 601.01	RSA 188-F:26, V
Pol 602.01	RSA 188-F:26, XII, RSA 91-A:5, IV
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New Hampshire Police Standards & Training Council

Technical Assistance Manual

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State of New Hampshire
Police Standards and Training Council
Technical Assistance Manual

Chapter 1 -- Medical Screening Guidelines

A. Preface

It is permissible under federal law for an employer to require, as a qualification standard, that an individual not pose a direct threat to the health or safety of himself/herself or others. Such a standard must apply to all applicants or employees and not just to individuals with disabilities. If an individual poses a direct threat as a result of a disability, it must be determined whether a reasonable accommodation would either eliminate the risk or reduce it to an acceptable level. If no reasonable accommodation exists that would either eliminate or reduce the risk without causing undue hardship to the employer, the hiring authority may refuse to hire an applicant or may discharge an employee who poses a direct threat. The Council may also refuse to admit an individual to a training program or to certify them.

You are not permitted to deny an employment opportunity to an individual with a disability merely because of a slightly increased risk. The risk can only be considered when it poses a significant risk, i.e. a high probability of substantial harm. A speculative or remote risk is insufficient.

Determining whether an individual poses a significant risk of substantial harm to others must be made on a case-by-case basis. You should identify the specific risk posed by the individual. For individuals with mental or emotional disabilities, you must identify the specific behavior on the part of the individual that would pose the direct threat. For individuals with physical disabilities, you must identify the aspect of the disability that would pose the direct threat. You must then consider the four factors listed in Part 1630 of the federal regulations:

- (1) The duration of the risk;
- (2) The nature and severity of the potential harm;
- (3) The likelihood that the potential harm will occur; and
- (4) The imminence of the potential harm.

Such considerations must rely on objective, factual evidence - not on subjective perceptions, irrational fears, patronizing attitudes, or stereotypes - about the nature or effect of a particular disability, or of disability generally. Relevant evidence may include input from the individual with a disability, the experience of the individual with a disability in previous similar positions, and opinions of medical doctors, rehabilitation counselors, or physical therapists who have expertise in the disability involved and/or direct knowledge of the individual with the disability.

You are also permitted to require that an individual not pose a direct threat of harm to his or her own safety or health. If performing the particular functions of a job would result in a high probability of substantial harm to the individual, the employer may reject or discharge the individual or the Council may refuse to enroll or certify him/her unless a reasonable accommodation is available that would not cause an undue hardship and would avert the harm. For example, an employer may not be re-

quired to hire an individual, disabled by narcolepsy, who has a history of unexpectedly losing consciousness.

The assessment that there exists a high probability of substantial harm to the individual, like the assessment that there exists a high probability of substantial harm to others, must be based on valid medical analysis and/or on other objective evidence. This determination must be based on individualized factual data, using the factors discussed above. Generalized fears about risks from the employment environment, such as exacerbation of the disability caused by stress, without further evidence, cannot be used by an employer to disqualify an individual with a disability.

B. Introduction:

The Americans with Disabilities Act (Title I) prohibits employers from discriminating against the disabled with respect to hiring and all terms, conditions, and privileges of employment. Congress designed this law to ensure that disabled individuals would not be excluded from job opportunities **unless they could not perform the essential functions of the job.** The law protects the disabled from unwarranted stereotypes and misconceptions. It requires employers not to disqualify the disabled because they cannot perform **nonessential or marginal** job functions. If covered entities use selection criteria which exclude disabled individuals, these criteria must be **job-related** and **consistent with business necessity**. If a disabled person is otherwise qualified, the employer **must provide reasonable accommodations** unless they would cause undue hardship to the employer.

Key to satisfying the requirements of the ADA is **job relatedness** and demonstrated **content**. The phrase “essential functions” was used by Congress to ensure that disabled persons are not disqualified for employment simply because they may have difficulty in performing tasks that bear only a marginal relationship to a particular job. In general, “essential functions” means fundamental, basic, necessary or vital tasks of the job. It does not include tasks that are incidental to the job, or which are performed infrequently or not at all. Section 191 (8) of the ADA established that the employer’s judgment regarding what functions are “essential” should be given consideration under the act. A **written job description is considered evidence of the essential functions** of a job. It is of vital importance that an employer’s job descriptions be **accurate and complete**. These job descriptions should not include tasks that are incidental to the actual job, or are infrequently performed. (However, mere infrequency is not reason enough to classify an otherwise essential task, such as to fire a gun to defend oneself, as inessential.) The job description should clearly state the **fundamental, essential** tasks. The Police Standards & Training Council has available a sample patrol officer job description based on our Statewide Job Task Analysis.

In determining whether a particular function of a job is essential, certain factors are important. First, it is significant to note whether the reason the position exists is to perform the function (Law enforcement officers exist to maintain the public peace, etc.). Second, it is important to determine whether the number of employees available to perform the particular job or task can affect the importance of a task (Can an officer’s job be restructured and tasks reallocated to other personnel? Is backup readily at hand?). Third, it is necessary to assess the degree of expertise needed to perform the task. Certain law enforcement tasks require certification indicating demonstration of skill and are essential to the nature of the work, such as to provide CPR in emergency situations, etc.

Ultimately, whether a particular task is essential is a **factual** determination that must be made on a case-by-case basis. Specific knowledge of the job’s content must be demonstrated. However, the

Uniform Guidelines on Employee Selection Procedures (29 CFR Part 1607) do not apply to the ADA, and therefore, give employers some latitude in how they determine a particular job's "essential tasks."

The ADA makes it clear that it is unlawful for a covered entity to use qualification standards, employment tests or other selection criteria that screen out or tend to screen out individuals on the basis of disability, **unless the standard, test, or other selection criteria**, as used by the covered entity, **is shown to be job-related** for the position in question **and is consistent with business necessity**. Therefore, **selection criteria which exclude**, or tend to exclude, person(s) with a disability **but do not concern an essential function of the job would not be consistent with business necessity**.

The Council's medical screening standards, which follow, are for the purpose of identifying certain potentially disqualifying conditions and determining when further medical opinion is necessary prior to enrolling trainees in training programs, or certifying police, State corrections, or probation/parole officers.

Medical Screening Guidelines Police, State Corrections and Probation/Parole Officers

C. General Instructions

- (1) A healthcare professional shall assess each candidate on a case-by-case basis to determine whether the candidate can, with or without reasonable accommodations, perform the essential functions of an entry-level law enforcement, State corrections, or probation/parole officer and shall identify the specific impairment(s) and tasks/functions which the candidate may not be able to perform adequately.
- (2) Upon the conclusion of the medical review, such professional shall render his/her medical opinion to the hiring authority and, upon request, to the Council, as to whether the candidate can perform all specific essential functions of an entry-level law enforcement officer with reasonable accommodations, based upon the results of the clinical test outlined below and other relevant medical criteria, noting all relevant medical information and those tasks which s/he cannot perform.
- (3) The examining healthcare professional shall complete the medical examination form prescribed by the Council, based upon the medical review of the candidate. The existence of a potentially disqualifying condition shall **not** necessarily keep the qualified healthcare professional from concluding that the candidate is able to perform the essential job functions of an entry-level law enforcement officer. **Nothing herein shall preclude the qualified healthcare professional from noting the existence of any other potentially disqualifying conditions not specifically set forth in the Standards, which, in the opinion of such health care professional, may render the candidate unable to perform specific essential functions of an entry-level law enforcement, State corrections, or probation/parole officer.**
- (4) Based upon the findings of the qualified healthcare professional, **the law enforcement agency wishing to employ the candidate shall render a final decision as to whether the offer of employment shall be revoked, however the Council reserves the right to deny admission to the basic training program and/or certification if it believes the hiring authority's decision was erroneous or unreasonable as a matter of law or fact.**
- (5) For purposes of these standards, "qualified health care professional" means a registered physician, or a physician's assistant or registered nurse practitioner operating under the direction of a licensed physician.

Medical Screening Guidelines

D. Minimum Components of the Clinical Tests

The qualified healthcare professional shall conduct a medical history, and administer a medical examination which includes, but is not limited to, the following components:

- a) Urinalysis (dipstick); and
- b) Tuberculosis (Mantoux).

Optional:

- a) Baseline cholesterol and lipid profiles (not to be used alone for exclusion)
- b) Blood Test Battery (as needed and indicated by history and/or examination)
- c) Chest X-Ray (only if indicated by history and/or examination)
- d) Resting or Stress EKG (only if indicated by history and/or examination; strongly recommended for applicants over 40 years of age)

Medical Screening Guidelines

E. Administration, Deferment and Due Process

(1) ADMINISTRATION AND APPLICATION

- 1.0 The results of such examination required under Pol 301.04 shall be submitted to the council on council form "D" at least 30 days prior to the examinee's attendance at the police, corrections, or probation/parole academy.
- 2.0 No person shall be accepted for attendance at the police, corrections, or probation/parole basic training unless their council form "D" includes a certification by the examining health care professional that the applicant is certified without reservation to be in satisfactory physical condition to participate in a rigorous program of physical training as noted in Pol 301.04 (a) (16).
- 3.0 If the physical examination was performed more than 6 months prior to the start of the academy session, or if the applicant withdrew from a prior training program because of an injury, the council shall, for good cause, require the hiring authority to have the applicant reexamined prior to final acceptance for attendance at the basic training program.
- 4.0 Determination of good cause pursuant to 1.3 above shall include, but not be limited to, consideration of the following factors:
 - 4.1 if the nature and extent of the prior injury was such as to present a danger to the applicant unless completely healed;
 - 4.2 if the applicant's apparent physical appearance indicates that he or she may be unable to engage in strenuous physical activity;
 - 4.3 if there has been any reported injury or medical history subsequent to the prior examination;
 - 4.4 if the applicant's physical condition was noted by the health care professional as marginal at the time of the prior examination; or
 - 4.5 if the applicant experienced difficulty in performing the prior physical fitness test.

(2) DEFERMENT AND DISQUALIFICATION

- 1.0 The council, in applying the provisions of Pol 301, shall not allow an applicant to participate in the police, corrections, or probation/parole basic training program, or part-time police officer basic training, if the health care professional performing the examination indicated that the applicant is suffering from any condition outlined in Section "F" of this document as disqualifying or deferring.

- 2.0 Upon reviewing the results of the physical examination, the director or his/her designee shall disqualify from training and certification any applicant about whom the examining health care professional has expressed reservations regarding the applicant's fitness to engage in a rigorous program of physical training.
- 3.0 In addition to 2.0 above, the director or his/her designee shall defer from training and certification any applicant who, despite approval of the examining health care professional and the hiring authority, appears to have a physical or mental defect or disease which, in the director's opinion, might render the applicant incapable of satisfactorily completing the training necessary to perform the essential functions of a police or corrections officer, or endanger the other students, staff, or the general public.
 - 3.1 In such cases, at the director's request the applicant shall undergo an evaluation by a physician or specialist of the council's choice at the council's expense for further evaluation. The director shall consider the results of that evaluation together with all other appropriate evidence in making his/her decision.
 - 3.2 In determining whether a person will be capable of performing the essential functions of a police, corrections or probation/parole officer, an applicant shall not be accepted if he or she has:
 - 3.2.1 any medical or health condition that can affect those physical abilities necessary to perform training and job-related duties of a police, corrections or probation/parole officer in a safe manner without jeopardy to the individual, fellow trainees and employees, and to the public;
 - 3.2.2 any medical or health condition that indicates a probability of physical defect, condition or disease that would increase the risk of disability and the unsafe, inefficient performance of training or job duties.

(3) APPEAL

- 1.0 The council shall notify the hiring authority in writing of any deferment or disqualification due to physical defect or disability.
- 2.0 If the disability, disease or defect appears to be of a temporary nature, the hiring authority may request an extension under Pol 302.01 (c) or Pol 302.02 (d) until the beginning of the next academy to allow time to remedy the disability, disease or defect.
- 3.0 If the disability, disease or defect appears to be of a permanent nature, the hiring authority may request a review on a case-by-case basis to determine if the applicant is in fact capable of performing the training and other functions required of a police, corrections or probation/parole officer, with reasonable accommodation.
- 4.0 Appeals shall be heard by the council, or, at their discretion, a medical review board. The board shall consist of a licensed health care provider designated by the director and at least two of the following three individuals: a police or corrections training subject matter expert

designated by the director, a member of the training council designated by the chairman, and a non-voting representative of the attorney general's office or a legal intern or paralegal employed by the Council.

- 5.0 The council or medical review board shall in its discretion consult with medical authorities, persons experienced in rehabilitation of citizens with disabilities, or any other person who could provide relevant or useful information regarding the case under consideration.
- 6.0 The hiring authority or the applicant shall, at his or her own expense, be entitled to submit additional medical or other documentation relevant to the appeal under consideration.
- 7.0 If used, the medical review board, upon consideration of all the evidence, shall make a written recommendation to the council whether or not in its opinion the applicant's condition, considered in the light of Pol 301.05 (d) should result in disqualification from training or certification.
- 8.0 Upon receipt of the report of the medical review board (if applicable), and after review, the council shall affirm, modify or reverse the decision of the director and notify the hiring authority in writing of its decision and the reasons therefor.
 - 8.1 The council shall modify or revise a decision of the director if in its opinion the director's was unreasonable or erroneous in light of the evidence considered.
 - 8.2 If the council grants certification to an applicant with a disabling condition based on a reasonable accommodation by the employer, such certification shall be limited to work performed for that specific employer and shall lapse upon a change of duties or employer, unless and until the council is satisfied by evidence presented by the applicant and employer that the accommodation or some different accommodation will permit the officer to perform the essential functions of the job without creating a hazard to self or others.
 - 8.3 The council shall, if it appears that the applicant's condition is such that periodic re-evaluation is required to ensure continued ability to perform the essential functions of the police, State corrections or probation/parole officer, grant a limited certification with appropriate conditions imposed, or require periodic re-evaluation or notification of any change in the applicant's medical or physical condition.
- 9.0 The provisions of Pol 200 shall control the conduct of the hearings held by the council and by the medical review board pursuant to this section.

Medical Screening Guidelines

F. Potentially Excludable Conditions

(1) Introduction

The following medical standards shall be used in evaluating whether a candidate can, with or without reasonable accommodation, perform the essential functions of a police, State corrections or probation/parole officer and/or successfully complete the required basic training program. The existence of any one of the following conditions is only to be considered potentially excludable. Each law enforcement agency must consider the medical guideline to ensure that it is job-related and consistent with business necessity with respect to an entry-level law enforcement, corrections, or probation/parole officer position. The examining healthcare professional shall determine, based upon his or her medical judgment, whether the existence of such condition renders the candidate unable to perform the essential functions of an entry-level law enforcement position. The qualified healthcare professional's role shall be limited to determining the specific impairment(s), identifying its (their) level(s), and leaving the matter of reasonable accommodation and what constitutes it to the hiring authority, subject to any guidance from the council. Finally, the decision to honor or withdraw the conditional offer of employment is also the responsibility of the hiring authority. The council reserves the right to reject an applicant, however, when it appears that the hiring authority's decision was in error.

(2) Reasonable Accommodation

It shall be the affirmative responsibility of each agency to assess the type(s) of reasonable accommodation which may be necessary to allow the candidate to perform the essential functions of a law enforcement, corrections or probation/parole candidate, and to offer such necessary reasonable accommodations to a qualified candidate with a disability. Nothing herein shall be construed to require the provision of reasonable accommodation if doing so will impose an undue hardship on the employing agency or a direct threat to the safety of the applicant or others. The council reserves the right to deny admission to the basic training program or to certify if it believes the authority's decision was erroneous or unreasonable as a matter of law or fact, and considering that once certified, an officer may work in more than one agency and must be prepared to perform the functions of a sworn officer anywhere in the State.

**New Hampshire Police/Corrections/Probation-Parole Officer
Medical Screening Standards**

(3) Examiner Instructions:

The following conditions, although explicitly related to one or more essential tasks, are not necessarily an exclusive list. If the examining healthcare professional identifies a condition not included below which he or she feels could adversely affect the ability of the candidate to perform any or all of the essential tasks of a law enforcement, corrections, or probation/parole officer, that condition should be noted.

Because many of the tasks below involve physical exertion and danger in their performance, we ask that the qualified healthcare professional, to the extent possible, assess, on an individualized basis, whether the candidate is able to perform the essential tasks of the job safely and whether his or her inability may pose a “*direct threat to the health and safety of him/herself or others.*” As EEOC guidance suggests, “this assessment shall be based on a reasonable medical judgment that relies on the most current medical knowledge and/or the best available medical evidence.” The examining healthcare professional should consider, in identifying a “direct threat,” whether “performing particular functions of a job would result in a high probability of substantial harm” to the individual or others. This determination must be based on individualized, factual data rather than “stereotypical or patronizing assumptions.” Generalized fears about risks cannot be used by a hiring authority to disqualify an individual with a disability.

Medical Screening Standards Potentially Disqualifying Conditions

(4) Specific Conditions

SECTION 1.0 - EYES AND VISION

1.1 VISUAL ACUITY

All candidates shall have binocular vision.

Corrected distance vision shall be at least 20/30 (Snellen) in the weaker eye and shall be for both eyes together.

Near Vision: All candidates shall have near vision of not worse than 20/40 corrected binocular.

Use of Glasses: Due to the empirical evidence that glasses may dislodge, break, fog, etc. during the performance of essential tasks, candidates who wear glasses shall meet an uncorrected far acuity standard of not worse than 20/200 binocular. If the candidate uses glasses and passes the uncorrected acuity standard, it is expected that the employing agency shall ensure that the candidate uses athletic head straps to minimize the dangers attendant to losing one's glasses.

Use of Contact Lenses: If the candidate has successfully used soft contact lenses (SCLs) and the employing agency monitors the use of SCLs then the uncorrected standard shall be waived. This waiver shall extend to users of hard lenses if successful use has been documented by the applicant's eye-care practitioner and an eye examination at the expense of the applicant reveals freedom from recurrent infectious disease.

Examples of Essential Tasks Requiring Visual Acuity:

- 1) Low light searches;
- 2) Use of deadly force;
- 3) High-speed vehicle operation;
- 4) Physical struggle with a resisting person or persons;
- 5) Performing multiple tasks in inclement weather.

1.2 COLOR VISION

Where possible, the 24-plate edition of the Ishihara Test (1974 or subsequent equivalent edition) shall be used to determine that the candidate's color vision is no worse than mild color

deficiency. The AOHR test is acceptable as a substitute and the candidate should have no worse than a mild color defect as indicated by the AOHR test. Perception of color shall be deemed acceptable if the candidate correctly reads at least nine (9) or more of the first thirteen (13) plates of the 24 Plate Edition of the Ishihara test. As described in the test manual, this test shall be given under lighting conditions approximating a daylight illuminated room (indirect daylight), and not primarily using tungsten or fluorescent lamps. The MacBeth Easel Lamp or the True Daylight Illuminator (TDI), which meets the standards specified by the International Commission on Illumination, or equivalent may be used.

If the examining healthcare professional lacks the necessary equipment to perform the test and questions if the applicant's degree of color perception is acceptable, the applicant shall be deferred and told that they may request an examination by a properly equipped eye-care professional, at the applicant's expense.

If the candidate's color perception is deemed unacceptable through the use of said test, and s/he believes the results to be incorrect, then such individual shall be informed that s/he has recourse of additional testing and a facility identified where s/he may, at his/her own expense, take the Farnsworth-Munsell 100-Hue Test.

If the candidate takes and completes the Farnsworth-Munsell 100-Hue Test, the optometrist or ophthalmologist administering the test shall set forth in writing the results of said test, including the "total error score," the type, nature and degree of any apparent confusion axis, and, if available, the percentile rank of the total error score with reference to the normal population. The optometrist or ophthalmologist shall certify whether or not the candidate meets the required color perception standards.

If the candidate's near visual acuity is within normal limits (Jaeger 2 or Snellen Equivalent of 20/30), the color vision tests shall be performed without correction (glasses). Even a mild tint in glasses could distort viewing conditions for the color vision tasks and invalidate the test results.

If the candidate fails the initial test, s/he shall, upon request, be immediately retested at his or her own expense and the lower total error score used for the purposes of qualification. A total error score of not more than 1224 is deemed acceptable. The use of any lens by a candidate to meet the color perception standards is not acceptable.

Examples of Essential Tasks Requiring Color Vision:

- 1) Recognize colors of suspect's clothing;
- 2) Recognize colors of vehicles, license plates, traffic signs and symbols etc.;
- 3) Search crime scenes;
- 4) Use deadly force;
- 5) Recognize color of electrical wires, i.e. on bombs.

1.3 DEPTH PERCEPTION

Depth perception shall be sufficient to demonstrate the capacity to perform essential tasks, e.g. fire weapons for qualification or in combat situations.

Examples of Essential Tasks Requiring Depth Perception:

- 1) Operate vehicle at high speeds or in tight spaces;
- 2) Use deadly force, e.g. fire a weapon accurately;
- 3) Execute vehicle stop by cutting a vehicle out of traffic;
- 4) Engage in physical combat.

1.4 PERIPHERAL VISION

The presence of either monocular or significant bilateral field defects in a police, corrections or probation/parole officer are likely to create a direct threat to self or others. Persons for whom the horizontal binocular field is restricted to less than 120 degrees on each eye; or, the total binocular is less than 180 degrees; or, total vertical field is less than 100 degrees; or, when large scotomas are present, shall be excluded.

Examples of Essential Tasks Requiring Peripheral Vision:

- 1) Encounter suspects approaching from far left or far right;
- 2) Encounter hostile crowd surrounding an officer;
- 3) Operate vehicle at high speed and observe activity/conditions to either side;
- 4) Execute self-defense maneuver;
- 5) Use deadly force;
- 6) Fire a weapon from behind a barricade.

1.5 NIGHT BLINDNESS

Any history of night blindness shall be evaluated to determine the candidate's ability to perform essential tasks at night or in low-light settings.

1.6 SURGICAL LASER VISUAL CORRECTION, E.G. RK, PRK, LASIK, etc.

If the candidate has undergone such a procedure, a Night Blindness Test (e.g. glare sensitivity) shall be conducted by a qualified eye care professional. The examining eye care professional shall also consider adverse side effects such as sensitivity to glare, reduced corneal strength, exposure to pepper spray, etc.

Examples of Essential Tasks Requiring Night Vision:

- 1) Use deadly force in low light;
- 2) Recognize suspects in low light circumstances;

- 3) Operate vehicle (at high speeds) in inclement weather at night for extended periods of time;
- 4) Conduct searches of grounds and buildings in low light or dark.

1.7 OTHER VISION DISORDERS

THE EXAMINING HEALTH CARE PROFESSIONAL SHALL NOTE ANY ADDITIONAL CONDITION(S) OR MEDICATION PROFILE(S) WHICH MAY INTERFERE WITH THE CANDIDATE'S ABILITY TO PERFORM ANY OF THE ESSENTIAL TASKS OF THE LAW ENFORCEMENT OFFICER'S JOB.

Among these may be:

- (a) Cataracts
- (b) Chronic External Eye Disease
- (c) Chronic Inflammation e.g. choroiditis, optic neuritis, retinitis, uveitis, conjunctivitis, or keratitis
- (d) Diplopia
- (e) Eyelid Disorder
- (f) Glaucoma
- (g) Macular Degeneration
- (h) Retinal Detachment
- (i) Proliferative Retinopathy
- (j) Pseudotumor
- (k) Strabismus
- (l) Nystagmus

The qualified healthcare professional should note any condition which may be adversely affected by any exposure to pepper sprays, or any condition which may adversely affect peripheral vision fields.

SECTION 2.0 - EARS AND HEARING

2.1 HEARING ACUITY

The candidate shall have unaided hearing in both ears sufficient to perform essential tasks without posing a direct threat to the candidate or others. An acceptable test is a whispered conversation at 15 feet or, preferably, using an audiometer, the candidate shall have no average loss of 25 or more decibels at the 500, 1000, 2000 and 3000 Hertz (Hz) levels in either ear with no single frequency loss in excess of 40.

If the candidate's pure tone screening test is deemed unacceptable, such candidate may, at his/her own expense, have an audiological examination administered by a state-licensed audiologist, including:

- (i) hearing sensitivity;
- (ii) speech discrimination in quiet; and
- (iii) speech discrimination in noise.

This recourse testing shall be performed in a sound treated environment meeting the 1969 ANSI or any subsequent standard. The CID W-22 word lists shall be presented at 50 dB HL through a calibrated speech audiometer through a single speaker stationed at 0 degrees azimuth with the candidate seated at approximately 1 meter (39 inches) from the speaker. Speech (hearing) discrimination testing in a background of broadband noise shall be conducted in the same sound field environment. Using a different version of one of the CID W-22 word lists presented at 50 dB HL, a competing noise should be simultaneously presented at 40 dB HL (S/N ± 10) through the same speaker (0 degrees azimuth) as the test words or through a separate speaker located at 180 degrees azimuth. The minimal acceptable standards of speech (hearing) discrimination shall be a score no poorer than 90% in quiet and 70% in noise on two of the pre-recorded versions of the CID W-22 word lists. An open-test response format shall be utilized, with the candidate responding in writing.

Hearing Aid Check: Acoustical (HAC-A): Candidates with hearing aids shall, at their own expense, provide evidence from a licensed audiologist, using functional gain or real ear measurements, that such aid(s) meet the stipulated manufacturer's standards and have automatic shutdown capabilities.

Examples of Essential Tasks Requiring Hearing Acuity:

- 1) Conduct searches in low light or dark;
- 2) Use deadly force;
- 3) Conduct high risk stops;
- 4) Work with loud sounds from multiple directions;
- 5) Operate emergency vehicles at high speeds;
- 6) Control crowds, domestic conflict, etc.;
- 7) Control traffic;
- 8) Differentiate among sounds from different directions;
- 9) Overhear conversations between persons under transport;
- 10) Discriminate between radio broadcasts on various frequencies.

2.2 *OTITIS MEDIA, OTITIS EXTERNA, AND MASTIODITIS*

If the candidate meets Hearing Acuity guidelines and the condition is resolved or improving under adequate medical care, then the condition is non-disqualifying.

2.3 *ANY EAR DISORDER AFFECTING EQUILIBRIUM, E.G. MENIERE'S DISEASE OR SYNDROME*

If the candidate has a history of persistent or recurrent vertigo, he or she shall receive further evaluation and may be disqualified.

2.4 *OTHER HEARING DISORDERS*

THE EXAMINING HEALTH CARE PROFESSIONAL SHALL NOTE ANY ADDITIONAL CONDITION(S) OR MEDICATION PROFILE(S) WHICH MAY INTERFERE WITH THE CANDIDATE'S ABILITY TO PERFORM ANY OF THE ESSENTIAL TASKS OF THE LAW ENFORCEMENT OFFICER'S JOB.

Among these may be:

- (a) Abnormalities of the ear canal, e.g. stenosis;
- (b) Eustachian tube obstruction;
- (c) Perforated tympanic membrane.

SECTION 3.0 - NOSE, THROAT AND MOUTH

3.1 *LOSS OF SENSE OF SMELL*

If a history of loss of smell is present, the candidate shall be referred for further evaluation to determine whether he/she can perform essential tasks without posing a direct threat to him/herself or others.

The test shall consist of presenting the candidate blindfolded with a variety of odors similar to those which would be presented by explosives, solvents such as gasoline, and illegal substances such as marijuana (this can be simulated by using oregano) and asking him or her to identify the odors

3.2 *APHONIA, SPEECH LOSS OR SPEECH DEFECTS*

Effective verbal communication is one of the most essential tasks for law enforcement officers. Officers must be able to communicate verbally in situations ranging from one-on-one encounters with both calm and agitated individuals, to give instructions that can be heard over crowd noises, and using radio and telephone communications. This speech must be distinct and understandable to the average person, and the speech patterns or mannerisms should not detract from the ability to project a command presence during vehicle stops, home visits, crowd dispersal, rescue operations, domestic complaints, prisoner movements, and similar situations.

3.3 *ABNORMALITIES OF THE NOSE, THROAT OR MOUTH*

If the abnormality interferes with the candidate's breathing, or the proper fitting of a gas mask, then the condition may be excludable.

Examples of Relevant Essential Tasks:

- 1) Recognize intoxicated drivers;

- 2) Recognize hazardous materials or illegal substances;
- 3) Come into contact with toxic gases, liquids, etc.;
- 4) Search crime scenes;
- 5) Wear protective gear to prevent contact with riot gases, infectious diseases, etc.;
- 6) Present testimony;
- 7) Speak to project control and reduce chances of escalation.

3.4 OTHER NOSE, THROAT, OR MOUTH CONDITIONS

THE EXAMINING HEALTHCARE PROFESSIONAL SHALL NOTE ANY ADDITIONAL CONDITION(S) OR MEDICATION PROFILE(S) WHICH MAY INTERFERE WITH THE CANDIDATE'S ABILITY TO PERFORM ANY OF THE ESSENTIAL TASKS OF THE LAW ENFORCEMENT OFFICER'S JOB.

Among these may be:

- (a) Nasal Obstruction;
- (b) Sinusitis;
- (c) Laryngeal Disorder;
- (d) Tracheal Disorders.

SECTION 4.0 - PERIPHERAL VASCULAR SYSTEM

4.1 HYPERTENSION

Resting Blood Pressure shall be less than, or equal to, 145 mmHg systolic and 90 mmHg diastolic, on three successive readings. (If the candidate has controlled hypertension not exceeding the above standard and is on medication with side effect profiles which do not interfere with performance of duty, then the condition may not be excludable.)

Candidate shall have a functional and therapeutic cardiac classification no worse than American Heart Association Class 1A, i.e. Functional Capacity I: Patients with cardiac disease and no limitation of physical activity. Ordinary physical activity does not cause discomfort. Patients in this class do not have symptoms of cardiac insufficiency, nor do they experience anginal pain. Therapeutic Classification A: Patients with cardiac disease whose physical activity need not be restricted.

4.2 PERIPHERAL VASCULAR ABNORMALITY

Any condition which is severe and/or symptomatic shall be excludable, e.g. vascular insufficiency or its sequella, thrombophlebitis, Reynaud's disease.

Examples of Relevant Essential Tasks:

- 1) Perform numerous physically demanding duties, e.g. fight, run, climb, pull, carry, walk a beat, ride a bicycle, change a tire, etc.;
- 2) Endure emotionally stressful circumstances, e.g. domestic, death scene, deadly force, long hours of work, etc.;
- 3) Exposure to numerous environmental circumstances, e.g. cold, heat, etc.

4.3 OTHER PERIPHERAL VASCULAR ABNORMALITY

THE EXAMINING HEALTHCARE PROFESSIONAL SHALL NOTE ANY ADDITIONAL CONDITION(S) OR MEDICATION PROFILE(S) WHICH MAY INTERFERE WITH THE CANDIDATE'S ABILITY TO PERFORM ANY OF THE ESSENTIAL TASKS OF THE LAW ENFORCEMENT OFFICER'S JOB. ANY CONDITION WHICH REQUIRES CHRONIC USE OF ANTI-COAGULANTS IS DISQUALIFYING AND SHALL BE NOTED.

Among these may be:

- (a) Peripheral vascular disease - arterial;
- (b) Peripheral vascular disease - venous;
- (c) Carotid artery disease;
- (d) Aortic Aneurysm (thoracic or abdominal).

SECTION 5.0 - HEART AND CARDIOVASCULAR SYSTEM

If the candidate's functional work capacity is unimpaired, and there is no evidence of a direct threat to his/her health or safety or that of others, the condition is non-excludable. Nevertheless, a prior history of any of the following requires further evaluation:

5.1 CONGENITAL HEART DISEASE

Condition requires further evaluation to determine if it will affect the ability to perform extended, strenuous physical tasks.

5.2 VALVULAR HEART DISEASE

Condition requires further evaluation to determine if it will affect the ability to perform extended, strenuous physical tasks.

5.3 CORONARY ARTERY DISEASE

Condition requires further evaluation to determine whether the candidate is free of coronary vascular disease.

5.4 ECG (IF GIVEN) ABNORMALITIES (if associated with organic heart disease)

Including, but not limited to:

- a) WPW Syndrome;
- b) Degree AV Block;
- c) Mobitz Type II AV Block;
- d) Sinoatrial Block or Sick Sinus Syndrome;
- e) Ventricular Extrasystoles (Frequent - 20/Minute with Exercise, 10/Minute without Exercise);
- f) Ventricular Tachycardia;
- g) Atrial Fibrillation or Flutter;
- h) Episodic Supraventricular Tachycardia or Consistent Supraventricular Tachycardia at Rest or Persistent After Exercise Even if Asymptomatic.

An ECG is strongly recommended for any candidate over the age of 40 years.

5.5 CONGESTIVE HEART FAILURE

Condition requires careful evaluation to determine that it no longer exists and the candidate can fully participate in strenuous physical activity.

5.6 CARDIOMYOPATHY, to include Hypertrophic Heart Disease

Examples of Relevant Essential Tasks:

- 1) Perform numerous physically demanding duties, e.g. fight, run, pull, climb, walk a beat, ride a bicycle, change a tire, carry, etc.;
- 2) Endure emotionally stressful circumstances, e.g. domestic, death scene, deadly force, etc.;
- 3) Exposure to numerous environmental circumstances, e.g. cold, heat, etc.

5.7 OTHER HEART AND CARDIOVASCULAR CONDITIONS

THE EXAMINING HEALTH CARE PROFESSIONAL SHALL NOTE ANY ADDITIONAL CONDITION(S) OR MEDICATION PROFILE(S) WHICH MAY INTERFERE WITH THE CANDIDATE'S ABILITY TO PERFORM ANY OF THE ESSENTIAL TASKS OF THE LAW ENFORCEMENT OFFICER'S JOB.

SECTION 6.0 - RESPIRATORY SYSTEM

THE RESPIRATORY SYSTEM MUST BE FREE OF CHRONICALLY DISABLING CONDITIONS THAT WOULD INTERFERE WITH THE CANDIDATE'S ABILITY TO PERFORM ESSENTIAL TASKS.

6.1 ANY ACUTE OR CHRONIC PULMONARY INFECTION

6.2 CHRONIC OBSTRUCTIVE PULMONARY DISEASE sufficient to adversely affect the candidate's ability to perform essential tasks

6.3 RESTRICTIVE LUNG DISEASE sufficient to adversely affect the candidate's ability to perform essential tasks

6.4 PNEUMONECTOMY sufficient to adversely affect the candidate's ability to perform essential tasks

Examples of Relevant Essential Tasks:

- 1) Perform numerous physically demanding duties, e.g. fight, run, pull, climb, walk a beat, ride a bicycle, change a tire, carry, etc.;
- 2) Endure emotionally stressful circumstances, e.g. domestic, death scene, deadly force, etc.;
- 3) Endure exposure to numerous environmental circumstances, e.g. cold, heat, etc.

6.5 OTHER RESPIRATORY SYSTEM CONDITIONS

THE EXAMINING HEALTH CARE PROFESSIONAL SHALL NOTE ANY ADDITIONAL CONDITION(S) OR MEDICATION PROFILE(S) WHICH MAY INTERFERE WITH THE CANDIDATE'S ABILITY TO PERFORM ANY OF THE ESSENTIAL TASKS OF THE LAW ENFORCEMENT OFFICER'S JOB.

Among these may be:

- (a) Hilar Mass;
- (b) Solitary Nodules;
- (c) Asbestosis;
- (d) Asthma;
- (e) Cystic Lung Disease; and
- (f) Pneumothorax.

SECTION 7.0 - GASTROINTESTINAL SYSTEM

The candidate shall be disqualified and/or referred for further evaluation in cases of:

7.1 COLITIS

Including but not limited to Crohn's Disease, Ulcerative Colitis, Irritable Bowel Syndrome (symptomatic or needing medication), or Bacterial Colitis. (If the candidate's condition is

controlled and is on medication with side effect profiles which do not interfere with performance of essential tasks, then the condition is not excludable.)

7.2 ESOPHAGEAL DISORDERS

Including, but not limited to, Esophageal Stricture, Lower Esophageal Ring, and Esophageal Spasm.

(If the candidate's condition is controlled, then the condition is non-disqualifying.)

7.3 PANCREATITIS (chronic)

7.4 GALL BLADDER DISORDERS (recurrent biliary colic or cholecystitis)

7.5 ACTIVE PEPTIC ULCER DISEASE

7.6 SYMPTOMATIC HERNIAS (inguinal, umbilical, ventral, femoral, or incisional)

7.7 MALIGNANT DISEASE OF THE GASTROINTESTINAL SYSTEM (liver, gall bladder, pancreas, esophagus, stomach, small or large bowel, rectum or anus) [Unless in Remission].

7.8 GASTROINTESTINAL BLEEDING

7.9 ACUTE OR CHRONIC INFECTIOUS HEPATITIS

7.10 CIRRHOSIS OF THE LIVER

7.11 MOTILITY DISORDERS e.g. scleroderma

Examples of Relevant Essential Tasks:

- 1) Perform numerous physically demanding duties, e.g. fight, run, pull, climb, carry, etc.
- 2) Endure emotionally stressful circumstances, e.g. domestic, death scene, deadly force, etc.
- 3) Endure exposure to numerous environmental circumstances, e.g. cold, heat, etc.

7.12 OTHER GASTROINTESTINAL SYSTEM CONDITIONS

THE EXAMINING HEALTHCARE PROFESSIONAL SHALL NOTE ANY ADDITIONAL CONDITION(S) OR MEDICATION PROFILE(S) WHICH MAY INTERFERE WITH THE CANDIDATE'S ABILITY TO PERFORM ANY OF THE ESSENTIAL TASKS OF THE LAW ENFORCEMENT OFFICER'S JOB.

Among these may be:

- (a) Gastric Ulcer;
- (b) Hepatitis;
- (c) Liver disease;
- (d) Diverticulitis;
- (e) Fistula;
- (f) Hemorrhoids;
- (g) Colitis;
- (h) Irritable Bowel Syndrome;
- (i) Pilonoidal Cyst.

SECTION 8.0 - GENITOURINARY SYSTEM

8.1 PREGNANCY

Pregnancy shall always require deferment of academy enrollment, due to potential exposure to heavy metals on the firing range, pepper gas, violent defensive tactics maneuvers, etc..

8.2 NEPHRECTOMY

(If a candidate possesses this condition with normal renal functioning, then the condition is non-disqualifying.)

8.3 NEPHRITIC SYNDROME

8.4 HISTORY OF RENAL COLIC

8.5 RENAL TRANSPLANT (necessity of protecting vulnerable organ shall require careful evaluation)

8.6 RENAL FAILURE

8.7 HYDROCELE AND VARICOCELE (symptomatic)

8.8 *MALIGNANT DISEASE OF THE GENITOURINARY SYSTEM* (bladder, kidney, ureter, cervix, ovaries, prostate, etc.) [Unless in Remission].

8.9 *GENITOURINARY TRACT INFECTIONS AND INFLAMMATORY DISEASES*

8.10 *POLYCYSTIC KIDNEY DISEASE*

8.11 *ENDOMETRIOSIS*

Examples of Relevant Essential Tasks:

- 1) Perform numerous physically demanding duties, e.g. fight, run, pull, climb, walk a beat, ride a bicycle, carry, etc.
- 2) Endure emotionally stressful circumstances, e.g. domestic, death scene, deadly force, etc.
- 3) Ensure exposure to numerous environmental circumstances, e.g. cold, heat, etc.
- 4) Work without relief and around the clock.

8.12 *OTHER GENITOURINARY SYSTEM CONDITIONS*

THE EXAMINING HEALTH CARE PROFESSIONAL SHALL NOTE ANY ADDITIONAL CONDITION(S) OR MEDICATION PROFILE(S) WHICH MAY INTERFERE WITH THE CANDIDATE'S ABILITY TO PERFORM ANY OF THE ESSENTIAL TASKS OF THE LAW ENFORCEMENT OFFICER'S JOB.

Among these may be:

- (a) Dysmenorrhea;
- (b) Lower Urinary Tract Disorder
- (c) Male Genital Disorders
- (d) Menometrorrhagia
- (e) Pelvic Inflammatory Disease
- (f) Symptomatic Benign Prostatic Hypertrophy
- (g) Uterine Fibroids

SECTION 9.0 - ENDOCRINE AND METABOLIC SYSTEMS

9.1 *UNCONTROLLED THYROID DISEASE*

9.2 *DIABETES MELLITUS*

Excludability shall require a case-by-case assessment as to the control of diabetes and presence and severity of symptoms and complications. Disqualifiers may include recurrent episodes of hypoglycemia, ketoacidosis, or any other diabetes-related complications.

9.3 *INSULIN DEPENDENCE*

Requires a specific medical waiver from a qualified physician as approved by the employer and council, to indicate no limitations on the candidate's physical activities, minimal to no danger of diabetic reaction, etc.

9.4 *ADRENAL DYSFUNCTION*

Including, but not limited to, Addison's Disease and Cushing's Disease.

9.5 *INSULIN REACTIONS*

9.6 *PITUITARY DYSFUNCTION*

Examples of Relevant Essential Tasks:

- 1) Perform numerous physically demanding duties, e.g. fight, run, pull, climb, carry, etc.
- 2) Endure emotionally stressful circumstances, e.g. domestic, death scene, deadly force, etc.
- 3) Endure exposure to numerous environmental circumstances, e.g. cold, heat, etc.
- 4) Work without relief and around the clock.

9.7 *OTHER ENDOCRINE AND METABOLIC SYSTEM CONDITIONS*

THE EXAMINING HEALTHCARE PROFESSIONAL SHALL NOTE ANY ADDITIONAL CONDITION(S) OR MEDICATION PROFILE(S) WHICH MAY INTERFERE WITH THE CANDIDATE'S ABILITY TO PERFORM ANY OF THE ESSENTIAL TASKS OF THE LAW ENFORCEMENT OFFICER'S JOB.

Among These May Be:

- (a) Adrenal Gland Hyperactivity;
- (b) Euthyroid Goiter;
- (c) Gout;
- (d) Hyperparathyroidism;
- (e) Hypocortisism;
- (f) Myxedema

SECTION 10.0 - MUSCULOSKELETAL SYSTEM

10.1 DISORDERS THAT LIMIT MOTOR PERFORMANCE

10.2 CERVICAL SPINE OR LUMBOSACRAL FUSION

***10.3 DEGENERATIVE CERVICAL OR LUMBAR DISC DISEASE* (if symptomatic)**

***10.4 EXTREMITY AMPUTATION* (condition is excludable only if it hinders performance of essential tasks, either in training or on-the-job)**

10.5 OSTEOMYELITIS

10.6 MUSCULAR DYSTROPHY

10.7 LOSS IN MOTOR ABILITY FROM TENDON OR NERVE INJURY/SURGERY

***10.8 ARTHRITIS* (if candidate possesses this condition with no functional impairment, then the condition is non-excludable)**

10.9 SYMPTOMATIC HERNIATED DISC

10.10 SPINAL DEVIATIONS

Examples of Relevant Essential Tasks:

- 1) Perform numerous physically demanding duties, e.g. fight, run, jump, crawl, pull, climb, walk a beat, ride a bicycle, carry, etc.
- 2) Endure emotionally stressful circumstances, e.g. domestic, death scene, deadly force, etc.
- 3) Ensure exposure to numerous environmental circumstances, e.g. cold, heat, etc.
- 4) Work without relief and around the clock.
- 5) Withstand periods of fatigue.

10.11 OTHER MUSCULOSKELETAL SYSTEM CONDITIONS

THE EXAMINING HEALTH CARE PROFESSIONAL IS TO NOTE ANY ADDITIONAL CONDITION(S) OR MEDICATION PROFILE(S) WHICH MAY INTERFERE WITH THE CANDIDATE'S ABILITY TO PERFORM ANY OF THE ESSENTIAL TASKS OF THE LAW ENFORCEMENT OFFICER'S JOB.

Among These May Be:

- (a) Osteoarthritis
- (b) Rheumatoid Arthritis
- (c) Collagen Vascular Disease
- (d) Disc/Disease/Syndrome;
- (e) Fractures - Inter-Articular
- (f) Fractures - Malunited
- (g) Fractures - Non-union
- (h) Joint Conditions, probability of dislocation, limited range of movement, etc.:
 - i. Shoulder
 - ii. Elbow
 - iii. Wrist
 - iv. Hand and Finger
 - v. Hip
 - vi. Knee
 - vii. Ankle
 - viii. Foot
- (i) Spinal Abnormalities
 - i. High Lumbosacral Angle
 - ii. Hyperlordosis
 - iii. Schmorl's Nodes
 - iv. Spondylosis
- (j) Cervical Fractures

SECTION 11.0 - HEMATOPOIETIC AND LYMPHATIC SYSTEMS

11.1 ANY HEMATOPOIETIC DISORDERS (including bleeding, hemolytic, thrombotic, malignant or other disease states)

If the examining health care professional does not waive disease and therapy or therapy side effects, candidate shall be excluded.

Examples of Relevant Essential Tasks:

- 1) Perform numerous physically demanding duties, e.g. fight, run, pull, climb, carry, etc.
- 2) Endure emotionally stressful circumstances, e.g. domestic, death scene, deadly force, etc.
- 3) Endure exposure to numerous environmental circumstances, e.g. cold, heat, etc.

- 4) Work without relief and around the clock.
- 5) Stand and/or walk for long periods of time, ride a bicycle for an entire shift.
- 6) Withstand periods of fatigue.

11.2 OTHER HEMATOPOIETIC AND LYMPHATIC SYSTEM CONDITIONS

THE EXAMINING HEALTH CARE PROFESSIONAL SHALL NOTE ANY ADDITIONAL CONDITION(S) OR MEDICATION PROFILE(S) WHICH MAY INTERFERE WITH THE CANDIDATE'S ABILITY TO PERFORM ANY OF THE ESSENTIAL TASKS OF THE LAW ENFORCEMENT OFFICER'S JOB.

SECTION 12.0 - NERVOUS SYSTEM

12.1 SEIZURE DISORDER (all types) OR TOURETTE'S SYNDROME

Requires case-by-case review and waiver by a qualified physician approved by the hiring authority and council

12.2 MOVEMENT DISORDERS, e.g. Parkinson's Disease, Tremors, etc.

12.3 CEREBRAL ANEURYSMS

Requires case-by-case review and waiver by a qualified physician approved by the hiring authority and council

12.4 SYNCOPE

12.5 PROGRESSIVE NEUROLOGICAL DISEASES

12.6 PERIPHERAL NERVE DISORDER

12.7 NARCOLEPSY

Requires case-by-case review and waiver by qualified physician approved by the hiring authority and council

12.8 CEREBRAL VASCULAR ACCIDENT (STROKE)

12.9 CENTRAL NERVOUS SYSTEM INFECTIONS

Examples of Relevant Essential Tasks:

- 1) Perform numerous physically demanding duties, e.g. fight, run, pull, climb, carry, etc.
- 2) Endure emotionally stressful circumstances, e.g. domestic, death scene, deadly force, etc.
- 3) Ensure exposure to numerous environmental circumstances, e.g. heat, cold, etc.
- 4) Work without relief and around the clock.
- 5) Stand and/or walk for long periods of time, ride a bicycle for an entire shift.
- 6) Withstand periods of fatigue.

12.10 OTHER NERVOUS SYSTEM CONDITIONS

THE EXAMINING HEALTHCARE PROFESSIONAL SHALL NOTE ANY ADDITIONAL CONDITION(S) OR MEDICATION PROFILES WHICH MAY INTERFERE WITH THE CANDIDATE'S ABILITY TO PERFORM ALL OF THE ESSENTIAL TASKS OF THE LAW ENFORCEMENT OFFICER'S JOB.

Among These May Be:

- (a) Cerebral and Nerve Disorders
 - i. Arterio Venous Malformation
 - ii. Brain Tumor, History of
 - iii. Cerebral Aneurysm (Post-Treated)
 - iv. Cerebrovascular Disease (Stroke)
 - v. Craniocerebral Trauma, (Residuals of)
 - vi. Migraine and Other Episodic Headaches
 - vii. Reflex Sympathetic Dystrophy or Causalgia
 - viii. Reversible Transient Ischemic Attack (TIA)
 - ix. Impaired Balance
- (b) Congenital and Developmental Neurological Disease
 - i. Cerebral Palsy
 - ii. Congenital CNS Malformations
 - iii. Residuals of Birth Trauma or Hypoxia
 - iv. Mental Retardation
- (c) Spinal Closure Defects
 - i. Spina Bifida
 - ii. Meningomyelocele
- (d) Degenerative Diseases
 - i. Alzheimer's and Other Degenerative Dementia Diseases
- (e) Degenerative Spinal Cord Disease
 - i. Friedreich's Ataxia
 - ii. Primary Lateral Sclerosis

- iii. Spastic Paraplegia
 - iv. Spinocerebellar Degeneration
 - v. Syringomyelia
- (f) Demyelinating Disease (e.g. Multiple Sclerosis)
- (g) Huntington's Disease
- (h) Motor Neuron Disease
 - i. Amyotrophic Lateral Sclerosis or Lou Gehrig's Disease
 - ii. Bulbar Palsy
 - iii. Spinal Muscular Atrophy
- (i) Normal Pressure Hydrocephalus
- (j) Muscle Disease
 - i. Myasthenia Gravis
 - ii. Myopathy
 - iii. Myositis
- (k) Neuropathies
 - i. Cranial Neuropathy, e.g. Tic Douloureux or Trigeminal Neuralgia
 - ii. Mononeuropathy
 - 1. Deltoid Palsy
 - 2. Femoral Nerve
 - 3. Median Nerve (Carpal Tunnel Syndrome)
 - 4. Meralgia Paraesthetica
 - 5. Peroneal Nerve (Foot Drop)
 - 6. Posterior Tibial Nerve (Tarsal Tunnel)
 - 7. Radial Nerve
 - 8. Sciatic Nerve
 - 9. Ulnar Nerve
 - iii. Peripheral Neuropathy
 - 1. Alcoholic Neuropathy
 - 2. Diabetic Neuropathy
 - 3. Nutritional Neuropathy
 - iv. Plexopathy
 - 1. Brachial Plexus
 - 2. Lumbo-Sacral Plexus

SECTION 13.0 - CONTAGIOUS INFECTIOUS DISEASES (CID)

ANY CID WHICH IN THE OPINION OF THE EXAMINING HEALTHCARE PROFESSIONAL MAY POSE A DIRECT THREAT TO THE HEALTH AND SAFETY OF THE PERSON AND/OR OTHERS SHALL REQUIRE A CASE-BY-CASE EVALUATION.

13.1 BODY FLUID TRANSMISSIBLE INFECTIONS

13.2 ACTIVE PULMONARY TUBERCULOSIS

Examples of Essential Tasks Requiring Freedom from Contagious Diseases:

- 1) Perform numerous physically demanding duties, e.g. fight, run, pull, climb, carry, etc.
- 2) Endure emotionally stressful circumstances, e.g. domestic, death scene, deadly force, etc.
- 3) Endure exposure to numerous environmental circumstances, e.g. cold, heat, etc.
- 4) Work without relief and around the clock, ride a bicycle for an entire shift.
- 5) Stand and/or walk for long periods of time.
- 6) Withstand periods of fatigue.

SECTION 14.0 - MALIGNANT DISEASES

ANY MALIGNANT DISEASES NOT IN REMISSION SHALL REQUIRE A CASE-BY-CASE EVALUATION.

Examples of Essential Tasks Requiring Freedom from Malignant Diseases:

- 1) Perform numerous physically demanding duties, e.g. fight, run, pull, climb, carry, etc.
- 2) Endure emotionally stressful circumstances, e.g. domestic, death scene, deadly force, etc.
- 3) Endure exposure to numerous environmental circumstances, e.g. cold, heat, etc.
- 4) Work without relief and around the clock.
- 5) Stand and/or walk for long periods of time, ride a bicycle for an entire shift.
- 6) Withstand periods of fatigue.

SECTION 15.0 - DERMATOLOGICAL CONDITIONS OR DISFIGUREMENT

ANY DERMATOLOGICAL CONDITIONS WHICH IN THE OPINION OF THE EXAMINING HEALTHCARE PROFESSIONAL MAY HINDER A CANDIDATE'S ABILITY TO PERFORM ESSENTIAL TASKS SHALL REQUIRE A CASE-BY-CASE EVALUATION.

Examples of Essential Tasks Requiring Freedom from Dermatological Conditions:

- 1) Perform numerous physically demanding duties, e.g. fight, run, pull, climb, carry, etc.
- 2) Endure emotionally stressful circumstances, e.g. domestic, death scene, deadly force, etc.

- 3) Endure exposure to numerous environmental circumstances, e.g. cold, heat, etc.
- 4) Work without relief and around the clock.
- 5) Stand and/or walk for long periods of time.
- 6) Withstand periods of fatigue.
- 7) Ability to present a personal appearance consistent with membership in a paramilitary organization with appropriate command presence.

SECTION 16.0 - ALLERGIC CONDITIONS AND THEIR MANIFESTATIONS

ANY ALLERGIC CONDITIONS WHICH IN THE OPINION OF THE EXAMINING HEALTHCARE PROFESSIONAL MAY HINDER A CANDIDATE'S ABILITY TO PERFORM ESSENTIAL TASKS SHALL REQUIRE A CASE-BY-CASE EVALUATION.

Examples of Relevant Essential Tasks:

- 1) Perform numerous physically demanding duties, e.g. fight, run, pull, climb, carry, etc.
- 2) Endure emotionally stressful circumstances, e.g. domestic, death scene, deadly force, etc.
- 3) Endure exposure to numerous environmental circumstances, e.g. cold, heat, etc.
- 4) Work without relief and around the clock.
- 5) Stand and/or walk for long periods of time, ride a bicycle for an entire shift.
- 6) Withstand periods of fatigue.

SECTION 17.0 - OTHER SYSTEMIC DISEASES

ANY OTHER DISEASES WHICH IN THE OPINION OF THE EXAMINING HEALTH CARE PROFESSIONAL MAY HINDER A CANDIDATE'S ABILITY TO PERFORM ESSENTIAL TASKS SHALL REQUIRE A CASE-BY-CASE EVALUATION.

Examples of Relevant Essential Tasks:

- 1) Perform numerous physically demanding duties, e.g. fight, run, pull, carry, etc.
- 2) Endure emotionally stressful circumstances, e.g. domestic, death scene, deadly force, etc.
- 3) Endure exposure to numerous environmental circumstances, e.g. cold, heat, etc.
- 4) Work without relief and around the clock.
- 5) Stand and/or walk for long periods of time.
- 6) Withstand periods of fatigue.

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Chapter 2 - General Training Standards

A. Honor System

Honor and integrity shall be the guiding principles of the law enforcement, State corrections, and probation/parole professions. Intentional dishonesty shall not be excused or tolerated. Any action or contrary effort to those principles by a student shall be construed as conduct which brings discredit on the police, corrections, or probation/parole academy and the profession, and shall result in disciplinary action which may include decertification or dismissal from any present or future council program.

(1) Conduct Warranting Dismissal

An officer shall be subject to dismissal from any council program by the director or his or her authorized representative for:

- 1.0 cheating;
- 2.0 insubordination;
- 3.0 unexcused absences or tardiness;
- 4.0 disruptive, assaultive, illegal or threatening behavior;
- 5.0 conduct in connection with the school which would tend to discredit the police profession or hold it in ill repute; or
- 6.0 a violation of these rules.

(2) Appeal of Dismissal

A student dismissed under these circumstances may appeal to the council in writing within 10 days. An appeal shall not stay the dismissal. The council shall hold a hearing within 60 days and may affirm, modify or dismiss the director's action. The hearing shall be conducted in compliance with the provisions of Pol 200.

B. Emergency Defensive Driving

(1) Participation and Successful Completion

Each full-time police officer who attends the police or probation/parole academy shall participate fully in each emergency vehicle driving program from which he or she has not been excused by the staff for medical or emergency reasons or in order to attend court in response to a court subpoena, shall make up any missed classes, and shall pass a written examination with a score of at least 70% and a practical driving exercise.

(2) Failure of Defensive Driving Module

- 1.0 An officer who fails the defensive driving module at the police or probation/parole academy shall not be certified. Upon request of the hiring authority, he/she shall be permitted to repeat the module at the next available academy session.
- 2.0 Officers who fail the defensive driving module for a second time shall not be readmitted, except that the council after a hearing and upon a showing that the officer has engaged in a course of remedial treatment or training such that there is a reasonable probability that he/she can successfully complete the tests may be permitted to retake the test or to reenter the police or probation/parole academy.

B. Firearms Qualifications

(1) Participation and Successful Completion

Each full-time officer who attends the police, State corrections, or probation/parole academy shall participate fully in each firearms training class from which he/she has not been excused by a staff member for medical reasons or in order to attend court in response to a court subpoena, shall make up any missed classes and shall pass the written firearms nomenclature test with a score of 100% and shall fire the final firearms qualification course twice with a passing average minimum score of 225, and shall demonstrate safe handling of the handgun and shotgun as applicable.

(2) Failure of Firearms Module

Officers who fail the firearms module shall not be certified and shall be required to pass the written test and fire a qualifying score as noted in Chapter IV, C. 1. of this technical assistance manual under the supervision of a staff member or designee within 60 days, unless sooner discharged by the hiring authority.

(3) Remedial Training Requirement

Officers who are unable to satisfy the requirements of (1) and (2) above shall not be permitted to carry firearms in the course of duty. However, the council shall, after a hearing, permit an officer to retake the test or reenter the academy, upon a showing that the officer has engaged in a course of remedial training such that there is a reasonable probability that he/she can successfully meet the requirements of these rules.

D. Physical Fitness Curriculum

(1) Participation Required

Each police, State corrections, or probation/parole officer who attends the applicable academy shall participate fully in each physical training class from which he/she has not been excused by the staff for medical or emergency reasons or to attend court in response to a court subpoena, shall make up any classes missed and shall, as a condition of certification, complete the academy physical fitness curriculum. Persons who perform the exercises in a satisfactory manner as demonstrated by the staff and in the quantity specified in the curriculum shall be deemed to have passed this requirement.

(2) Performance Requirements

1.0 Test Components

- 1.1 As a condition of admission to the full-time police, State corrections, or probation/parole academy, each applicant and each applicant for reciprocal certification shall pass a physical fitness test. Passing scores on the test upon entry to an Academy shall be determined according to the 35th percentile of the general population as determined by data published by the Aerobics Institute of Dallas, Texas, weighted by age and sex of applicant. Copies of the standards are available from the Aerobics Institute, Dallas, Texas, or from the council upon request and payment of photocopying costs.
- 1.2 As a condition of certification as a full-time police, corrections, or probation officer, each officer attending an applicable academy session shall pass an exit level physical fitness test. Passing scores on the test upon exit from an academy shall be determined according to the 50th percentile of the general population as determined by data published by the Aerobics Institute of Dallas, Texas, weighted by age and sex of applicant. Copies of the standards are available from the Aerobics

Institute, Dallas, Texas, or from the council upon request and payment of photocopying costs.

- 1.3 The physical fitness test shall include each of the following elements:
 - 1.3.1 A timed 1.5 mile run on a level course;
 - 1.3.2 Timed sit-ups of 60 seconds duration;
 - 1.3.3 Maximum number of push-ups with no time limit;
 - 1.3.4 A body flexibility measurement; and
 - 1.3.5 A one-repetition maximum effort bench press.
- 1.4 The exercises shall be performed in a form and manner consistent with normal practices in the physical fitness industry as determined by the director.
- 1.5 The officer or applicant must pass every component of the test, to be deemed to have met the requirements of this section.

(3) Failure of Physical Training Program

Persons who fail the physical fitness curriculum shall not be certified. They shall be retested within 60 days. Persons who fail the retest shall be terminated by the hiring authority, except that the council, upon request of the hiring authority if it finds that an officer has been engaged in a course of physical conditioning or medical treatment, and that there is a reasonable probability that he/she can successfully meet the final physical fitness standards, shall permit the officer to retake the test or to reenter the academy.

E. Academic Requirement Standards

(1) General Academic Standards

Each police, State corrections, or probation/Parole officer, in order to successfully complete the police, corrections, or probation-parole academy as applicable, or the part-time officer's course, and achieve certification thereby, shall comply with the council's academic requirements.

- 1.0 Compliance with all of the council's academic requirements pursuant to (1) above shall, at a minimum, include satisfying the following:

- 1.1 Attend each class session from which he/she has not been excused by a staff member for medical or emergency reasons or to attend court in response to a court subpoena;
 - 1.2 Make up any sessions missed because of 1.1 above at the next academy session, unless excused by the director after a determination by the director that the student can gain sufficient familiarity with the material by an alternative manner;
 - 1.3 Not be absent for more than 15% of the class time in any module for any reason, or retake that module at the next academy session;
 - 1.4 Pass all practical exercise portions of the curriculum;
 - 1.5 Achieve a passing overall academic average of 70% or greater;
 - 1.6 For police officers, achieve a score of at least 70% in all modules and the final exam, or repeat the failed module(s) after one retest;
 - 1.7 Not be absent for more than ten (10) sessions of physical training (as applicable) for any reason, except that persons who have already met the exit physical fitness standards shall be allowed to graduate, unless the injury is permanent and would preclude the officer from completing the essential duties and responsibilities of an entry-level officer, or from attending remaining classes deemed essential in other subjects.
 - 1.8 Students in the full-time police academy who fail the initial examination and retest in six (6) modules will be reviewed by staff for possible remedial training. Students in the full-time police academy who fail the initial examination and retest in ten (10) modules will be dismissed from that academy session and will be allowed to re-enter a subsequent session pursuant to Chapter 2, E. (1) 3.0 of the Technical Assistance Manual.
 - 1.9 Students will not be eligible to take the final exam (and achieve certification) until they have first received a passing score on all module exams.
 - 1.10 Students who fail a test module or modules shall be permitted to take one retest. In deciding class rank, only the cumulative average of initial tests taken shall count toward the average. The scores on retests shall not count toward the average.
- 2.0 Students accepted for reciprocal certification to assigned courses at the police, State corrections, or probation/parole academy shall also abide by the applicable rules and operating procedures and the law enforcement officers' code of ethics, and conduct themselves in accordance with the principles of honesty, punctuality, and good citizenship. Officers shall achieve a passing score of 70% in all assigned modules, and attend all assigned classes.

- 3.0 Students who fail to complete the academic portion of the police, State corrections, or probation/parole academy, or part-time officer school, shall be permitted to reenter the session unless terminated sooner by the hiring authority. However, officers who will have been employed for more than 6 months prior to the completion of the next academy session shall be terminated by the hiring authority unless the council grants an extension upon request of the hiring authority and in accordance with Pol 302.
- 3.1 Students who fail to complete the police, State corrections, or probation/parole academy or part-time officer school upon readmittance shall be readmitted again only if the council determines after a hearing that the officer has engaged in a course of remedial training or education such that there is a reasonable probability that he/she can successfully complete the academy.

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Chapter 3 - Instructor Certification Standards

A. Certification of Adjunct Instructors

(1) Purpose

The council shall certify adjunct instructors considered qualified to teach in one or more prescribed council-offered training courses on the basis of the standards provided in this section.

(2) Scope and Applicability

- 1.0 A person who is currently certified or licensed by the State of New Hampshire or a nationally recognized certifying body shall not require certification by the council to teach police officers a subject for which the person is already certified or licensed.
- 2.0 The above requirements shall not apply to firearms instructors to the extent that the requirements in Pol 404.05 are more stringent.
- 3.0 Emergency driving instructors in council sponsored programs shall complete a council-sponsored driving instructor program or an equivalent out-of-state instructor program.
- 4.0 Instructors who teach unarmed self-defense in council sponsored programs shall complete a council-sponsored self-defense instructor course or an equivalent out-of-state instructor program.

(3) Eligibility

Instructors shall be eligible for certification if they meet the minimum qualification in the area of education, training and experience.

(4) Prerequisites for Certification in Basic Subjects

A person applying for certification to teach basic subjects, including but not limited to patrol, investigation, or the use of firearms, shall have:

- 1.0 A high school diploma or G.E.D. certificate;
- 2.0 Experience of 3 years or more as a police or corrections officer as appropriate;
- 3.0 Training beyond the basic level in each subject to be taught;
- 4.0 A recommendation by the applicant's law enforcement agency department head if a member of a law enforcement agency; and
- 5.0 Submitted a detailed lesson plan on each topic to be taught.

(5) Prerequisites for Certification in Non-Law Enforcement Subjects

A person applying for certification to teach non-police or corrections subjects, including management, human relations, or administration, shall have:

- 1.0 A college degree in a related field;
- 2.0 Experience in the subject to be taught; and
- 3.0 Submission of a detailed lesson plan on each topic to be taught.

(6) Waiver of Requirements

The director shall, in his/her discretion, waive any part of the requirements of this section if he or she finds that a person has an equivalent combination of education, training and experience.

(7) Oversight of Programs

The coordinator of any training program accredited by the council shall monitor the program periodically to insure that instructional excellence is maintained.

(8) Revocation of Certification

Instructor certification shall be revoked on recommendation of the director whenever an instructor is found to be no longer qualified, or if the council finds that the instructor:

- 1.0 Has been terminated or asked to resign, or has resigned in lieu of discharge, for reasons of a criminal conviction, or for dishonesty or moral turpitude;
- 2.0 Has failed to provide adequate instruction or to maintain a professional reputation;

- 3.0 Has falsified or omitted information on an application for certification or supporting documents;
- 4.0 Is not following the curriculum prescribed by the council for the course being taught or is in violation of any other council rules or standards; or
- 5.0 The quality or method of instruction violates generally accepted principles of instruction or training.
 - 5.1 "Generally accepted principles of instruction," as used in this section, means an evaluation of an instructor's:
 - 5.1.1 Attitude toward students;
 - 5.1.2 Command and knowledge of the subject;
 - 5.1.3 Ability to hold students' interest;
 - 5.1.4 Organization of the material prescribed;
 - 5.1.5 Use of training aids;
 - 5.1.6 Overall preparation;
 - 5.1.7 Clarity of presentation;
 - 5.1.8 Student performance on examinations; and
 - 5.1.9 Projection of an image reflective of professionalism and community-based service.
- 6.0 The instructor has failed to take proper steps to assure the safety of students.

(9) Lapse of Certification

- 1.0 An instructor's certificate shall become inactive if the holder of the certificate does not instruct at least one course during an interval of 3 consecutive years.
- 2.0 An inactive instructor certificate shall be reactivated upon written request by the hiring authority to the director, following the applicant's instruction of at least one course under direct supervision of a currently certified instructor, or upon completion of additional training, or presentation of satisfactory proof that s/he has remained current in the field of study.

(10) Use of Guest Lecturers

Other instructors shall be utilized on an occasional basis for a specialized subject area of a training program or a part-time officer program. They shall be classified as guest lecturers, and the requirements for an application and certification shall be waived by the director. "Guest lecturer" means a person who, by reason of position or experience, can make a worthwhile contribution to a training program and is experienced in a specialized area, with his or her instruction limited to that area of experience.

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Chapter 4 - Reciprocity of Certification Standards

A. Full-Time Police, State Corrections, and Probation/Parole Officers

- 1.0 If a newly appointed, uncertified police, State corrections, or probation/parole officer has prior experience and training in this or another jurisdiction, and the hiring authority wishes to request a waiver of attendance at certain courses, the hiring authority shall at the time of appointment request certification based on prior experience and training.
 - 1.1 The hiring authority shall make this request by filing a council Form "E".
 - 1.2 Full documentation of all prior experience and training, including copies of diplomas, certificates, transcripts, curricula, training manuals and grades, and a resume of all past law enforcement, corrections, and probation/parole experience shall accompany such request.
 - 1.3 The director shall investigate the request and report his/her findings to the council.
 - 1.4 If the council finds that the officer's combination of prior experience and training is the equivalent of the current police, State corrections, or probation/parole academy, as applicable, it shall certify the officer without attendance at the police, corrections, or probation/parole academy, as appropriate.
 - 1.5 If the council finds that the officer's prior experience and training is not equivalent to the police, corrections, or probation/parole academy, as applicable, the director shall assign special training, conduct examinations, or require full attendance at the police, corrections, or probation/parole academy as necessary in order to provide sufficient basic training to meet this requirement.
 - 1.6 The council shall consider the totality of the circumstances of the following criteria in determining whether the officer has received equivalent training:
 - 1.6.1 The length of time the officer has served as a police or corrections officer in this or another jurisdiction;
 - 1.6.2 The assignments and duties performed by the officer during that time;
 - 1.6.3 The length of time since the person was last employed as a police, corrections, or probation/parole officer;
 - 1.6.4 The length of time which has elapsed since the officer completed a course of basic police, corrections, or probation/parole training, as applicable;

- 1.6.5 The number of hours and course content of the officer's basic police, corrections, or probation/parole training; whether or not the course was satisfactorily completed; and the scores achieved, and the relevancy of the topical areas to the duties of a state, county or local police patrol officer;
- 1.6.6 Whether or not the person is currently certified as a police, corrections, or probation/parole officer, as applicable, in another jurisdiction;
- 1.6.7 The number of hours, recency, and course content of any in-service training courses successfully completed in this or another jurisdiction;
- 1.6.8 Whether or not the officer's basic training included academic instruction similar to that required in this state, and hands-on instruction in firearms, emergency driving, physical fitness, defensive tactics, and other required proficiency skills consistent with the requirements of RSA 188-F:26, V;
- 1.6.9 Any changes in council requirements or basic course curriculum which have occurred since the officer attended basic training.
- 1.7 The council shall render a decision in advance of hiring, upon request of the hiring authority and upon representation that the applicant shall be hired if certified hereunder.
- 1.8 The director and/or council may defer or decline a final decision whenever a delay is encountered in verifying out-of-state records.

B. Part-Time Officers

- 2.0 The hiring authority may, upon the appointment of a part-time police officer with prior experience and equivalent training in another jurisdiction, request a waiver of attendance at certain courses by submitting to the council on a council form "E", a request for certification based on prior experience and training. Full documentation, as noted in Chapter IV, A., 1.2 of the Technical Assistance Manual, shall accompany such request.
- 2.1 The director or his or her designee shall investigate the request and report his/her findings to the council.
- 2.2 If the council finds that the officer's prior experience and training is not equivalent to the council's basic part-time school, the director shall assign special training, conduct examinations, or require full attendance at the basic part-time school as necessary in order to provide sufficient basic training to meet this requirement.

- 2.3 In determining whether to assign additional training, the council shall consider the totality of the circumstances of the following criteria:
 - 2.3.1 The length time the officer has been out of service;
 - 2.3.2 Any law-enforcement-related training the officer has completed during the interim period;
 - 2.3.3 Any changes in council requirements for the certification of police officers which have occurred while the person was out of service.
- 2.4 The council shall render a decision in advance of hiring under the same conditions as provided in chapter IV, A., 1.7 of the Technical Assistance Manual.

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Chapter 5 - State Accreditation Program Standards

A. State Accreditation

1.0 Availability

- 1.1 The police standards and training council shall make available to law enforcement agencies a voluntary state accreditation program. The program shall be known as the professional standards recognition program.
- 1.2 Law enforcement agencies desiring state accreditation shall apply for professional standards recognition by filing an application form "H" with the council. There shall be no application fee, however, the applicant shall be responsible for payment of any travel, lodging, or meal expenses of accreditation assessors during the assessment phase of the program.
- 1.3 Professional standards recognition shall be awarded by the council to an agency in either or all of 3 consecutive phases, based upon proof of compliance with standards published by the commission on accreditation for law enforcement agencies (CALEA). Copies of these standards are available from CALEA for a fee.
- 1.4 The council shall award certificates of recognition for levels I, II, and III of the program upon receipt of a field audit report from trained assessors designated by the director, who have viewed proofs of compliance submitted by the law enforcement agency.

2.0 Accreditation Levels

- 2.1 The three levels of professional standards recognition shall be given upon satisfactory proof of compliance with the following numbered CALEA standards:
 - 2.1.1 For level I, standards 1.1.4, 1.1.5, 1.2.3, 1.3.1, 1.3.2, 1.3.4 through 1.3.16, 11.1.3, 11.2.1, 11.2.2, 11.2.3, 11.3.1, 11.4.1, 11.4.2, 12.1.2, 12.1.3, 12.1.4, 12.1.5, 12.2.1, 12.2.3, 17.1.2, 17.1.8, 17.1.10 through 17.1.14, 21.3.1, 22.1.1, 22.2.2 through 22.2.11, 26.1.1, 26.1.6, 26.1.7, 33.1.7, 33.1.12 through 33.1.20, 33.2.5, 33.4.1, 33.4.6, 33.5.1, 33.6.1, 33.6.2, 41.1.4, 41.2.8, 41.2.9, 41.2.13, 41.2.17, 41.2.18, 43.2.8, 44.2.6, 44.2.7, 52.1.4, 52.1.5, 52.1.7, 52.2.1 through 52.2.7, 52.3.3, 52.3.4, 52.3.5, 52.3.6, 62.1.6,

62.1.9, 62.1.10, 63.2.1, 63.2.2, 64.1.4, 64.1.5, 64.1.10, 64.1.11, 64.1.13, 71.1.1 through 71.1.7, 71.3.1, 71.4.1, 71.4.2, 72.4.1, 72.5.1, 72.5.2, 72.6.5, 72.8.2, 74.4.1, 74.5.1, 74.5.2, 74.5.3, 81.2.1, 81.2.6, 81.3.7, 84.1.1, 84.1.2, 84.1.4 through 84.1.9, 84.1.12, 84.1.13, 84.1.14, 84.1.15

2.1.2 For level II, standards 2.1.1, 2.1.2, 2.1.3, 2.1.6, 2.1.7, 2.2.1, 3.1.2, 13.1.2, 16.1.1, 16.3.2, 16.3.3, 16.4.1, 16.4.8, 16.4.9, 16.4.10, 16.4.11, 16.5.1 through 16.5.5, 22.3.3, 23.3.11, 23.3.12, 23.3.13, 24.3.2, 24.3.3, 26.1.3, 26.1.4, 26.1.5, 26.1.8, 26.1.9, 31.5.1, 31.5.2, 31.5.3, 32.1.1, 32.1.2, 32.1.3, 32.1.4, 32.1.9, 32.1.10, 32.1.11, 32.1.13, 32.1.14, 32.2.1 through 32.2.6, 32.3.1, 32.3.2, 32.3.3, 32.3.4, 32.4.1, 32.4.2, 32.4.3, 32.5.1, 32.6.2, 32.6.3, 32.6.5 through 32.6.8, 32.7.1, 32.7.3, 33.5.1, 34.1.1 through 34.1.4, 34.1.6 through 34.1.8, 34.2.1, 34.2.2, 35.1.2 through 35.1.5, 35.1.7, 35.2.1, 35.2.3, 35.2.4, 35.3.1 through 35.3.6, 44.1.6, 44.2.1, 44.2.2, 44.2.3, 44.2.4, 44.2.87, 44.2.12, 44.2.13, 46.1.1 through 46.1.6, 46.1.11, 46.2.1, 46.2.2, 46.2.3, 62.1.11, 62.1.12, 62.1.14, 66.1.2 through 66.1.10, 71.2.1, 71.2.2, 71.2.3, 71.2.4, 71.2.5, 71.3.2, 72.5.3, 72.5.4, 72.5.5, 72.5.6, 72.5.10, 72.8.1, 72.8.4, 81.2.3, 81.2.5, 81.3.2, 82.1.3 through 82.1.8, 82.1.11, 82.2.1, 82.2.8, 82.2.10, 82.2.11, 82.2.13, 82.2.15

2.1.3 For level III, standards 4.2.2, 5.1.5, 16.4.2, 16.4.4, 16.4.5, 16.4.6, 16.4.7, 21.1.1, 21.1.2, 21.1.13, 31.1.1, 31.1.2, 31.1.3, 31.1.4, 31.6.1, 31.6.4, 31.7.2, 31.7.6, 33.5.1, 33.5.5, 33.7.1, 33.7.2, 33.7.3, 41.1.5 through 41.1.9, 41.1.11, 41.1.12, 41.1.14, 41.1.15, 41.1.16, 41.1.17, 41.1.20, 41.1.21, 41.1.22, 41.2.2, 41.2.5, 41.2.6, 41.2.7, 41.2.10, 41.2.11, 41.2.12, 41.2.15, 41.2.16, 41.2.19, 42.1.8, 42.1.9, 42.1.10, 42.1.13, 42.2.1, 42.2.3, 42.2.5, 42.2.9, 42.2.10, 42.2.12, 43.2.4, 43.2.5, 43.2.14 through 43.2.17, 44.1.4, 45.1.1, 45.1.3, 45.2.4, 46.1.9, 47.1.2, 47.1.11, 47.1.14, 51.1.2, 51.1.6, 53.1.1, 54.1.2, 54.1.3, 54.1.5, 54.1.7, 54.1.9, 54.1.10, 54.1.11, 54.2.2, 54.2.4, 54.2.5, 55.1.1, 55.1.2, 55.1.8, 55.2.1 through 55.2.6, 62.1.1, 62.1.2, 62.1.15, 62.1.18, 63.1.1, 63.1.2, 63.1.3, 63.1.5 through 63.1.10, 63.2.3, 63.3.1, 64.1.12, 64.1.16, 71.1.8 through 71.1.12, 71.5.1, 71.5.2, 71.5.3, 72.1.1 through 72.1.5, 72.2.1, 72.3.1 through 72.3.6, 72.4.2 through 72.4.6, 72.4.8, 72.4.9, 72.4.10, 72.4.11, 72.5.7, 72.5.9, 72.6.1, 72.6.2, 72.6.3, 72.7.1, 72.7.2, 72.7.3, 72.7.4, 72.8.1, 72.8.3, 72.8.5, 72.8.6, 73.1.2, 73.1.3, 73.1.5 through 73.1.8, 73.2.1 through 73.2.5, 73.3.1 through 73.3.5, 73.4.1, 73.5.1 through 73.5.8, 74.1.1, 74.1.3, 74.1.4, 74.2.1, 74.2.2, 74.3.1, 74.3.2, 74.3.3, 81.1.4, 81.1.5, 81.1.7, 81.1.8, 81.1.9, 81.2.2, 81.2.4, 81.2.8, 81.2.9, 81.2.10 through 81.2.17, 81.3.1, 81.3.3, 81.3.4, 81.3.5, 81.3.6, 81.3.9, 82.1.9, 82.1.12, 82.2.3, 82.2.4, 82.2.7, 82.2.12, 83.1.1, 83.1.2, 83.1.3, 83.1.5, 83.1.6, 83.1.7, 83.1.9, 83.1.10, 83.2.1 through 83.2.6, 83.3.2, 83.3.3, 83.4.1, 84.1.10, 84.1.11, 84.1.14

2.2 The remaining CALEA standards shall not be required for state professional standards recognition. However, the council at the time of a field audit shall notify

the applicant law enforcement agency of the availability of full CALEA national accreditation upon compliance with the remaining CALEA standards.

3.0 Required Forms

- 3.1 Upon application, the head of the applicant agency shall submit to the council an agency profile questionnaire, form APQ.

3.1.1 Council Form APQ shall include the following information:

- 3.1.1.1 The current date;
- 3.1.1.2 The signature, typed name, and title of the department head of the agency requesting accreditation;
- 3.1.1.3 The signature and typed name of the agency accreditation manager for the agency;
- 3.1.1.4 The level of accreditation that the agency is requesting;
- 3.1.1.5 The number of authorized and current sworn and non-sworn employees in the agency;
- 3.1.1.6 The rank breakdown of the agency and functional assignments;
- 3.1.1.7 A listing of other mandated responsibilities;
- 3.1.1.8 Indication of whether the agency participates in mutual aid agreements with other jurisdictions;
- 3.1.1.9 Whether the agency utilizes part-time officers;
- 3.1.1.10 Whether the agency directly recruits and/or selects its own personnel;
- 3.1.1.11 Whether the agency is responsible for the promotion process within the agency;
- 3.1.1.12 What portions of the department are unionized;
- 3.1.1.13 Duties and responsibilities of civilian employees;
- 3.1.1.14 Whether the agency operates a prisoner holding facility;

- 3.1.1.15 Descriptions of the various functioning units of the department, including:
 - 3.1.1.15.1 Patrol;
 - 3.1.1.15.2 Investigations;
 - 3.1.1.15.3 Prosecution; and
 - 3.1.1.15.4 Administration.
 - 3.1.1.16 An environmental profile of the community, i.e. size and population.
- 3.2 As proof of compliance with each CALEA standard, the applicant agency shall submit an individual standards satisfaction report (ISSR) form, which shall have attached to it copies of any departmental rules, policies, or other documentation that indicates compliance with the standard.
- 3.2.1 Council form ISSR shall contain the following information:
- 3.2.1.1 Agency name;
 - 3.2.1.2 Standard number;
 - 3.2.1.3 Name of accreditation manager;
 - 3.2.1.4 An indication of status of compliance with the standard;
 - 3.2.1.5 Space for an explanation of status.

4.0 Accreditation Process

- 4.1 The accreditation process shall consist of the following 5 distinct steps for each level of recognition applied for:
- 4.1.1 Application. The agency head shall submit the form APQ and apply to enter the program.
 - 4.1.2 Self-assessment. The agency shall obtain a copy of the CALEA Standards, develop its proofs of compliance, fill out an ISSR form for each standard, and determine whether or not it is in compliance with the standard, in its opinion.

- 4.1.3 Field Audit. The agency shall present its proofs of compliance to the assessors during a site visit.
- 4.1.4 Standards Recognition. If the assessors indicate that there is adequate proof of compliance with the standards for the level or levels applied for, the Council shall vote to issue the appropriate professional standards recognition certificate or certificates to the agency. If the assessors indicate that there is not satisfactory proof that the standards have been complied with, the council shall deny recognition. The applicant agency may reapply no sooner than 6 months following the date of denial.
- 4.1.5 Reaccreditation. Professional standards recognition certificates shall be valid for 4 four years from the date of issue. To maintain standards recognition, the law enforcement agency shall reapply for recognition no less than 6 months prior to the date of expiration and the process of steps 4.1.1, 4.1.2, 4.1.3, and 4.1.4 above shall be repeated to achieve reaccreditation.
- 4.2 Each applicant agency shall appoint an accreditation manager who shall be responsible for overseeing the agency's accreditation or reaccreditation effort.

Chapter 6 -- N.H. Police Academy Manual

Welcome

Dear Recruit Officer:

Congratulations! By choosing a law enforcement career, you have entered a field, which many aspire to, but few achieve. The work is usually varied, exciting and challenging, but it also has its periods of monotony, unpleasantness and danger.

To prepare you for this career, state law requires that you successfully complete the NH Police Training Academy. This residential training program is held at the NH Police Training Facility in Concord, and is conducted by the New Hampshire Police Standards and Training Council under conditions of paramilitary discipline. It is deliberately designed to place you under some stress. If you properly prepare yourself for this experience, you will succeed. This letter will tell you about the Academy, and give you some tips on how to adapt to its regimented environment.

Most police academies have a military atmosphere. Chiefs of Police demand this. Their departments operate under a paramilitary structure, and to succeed and advance through the ranks, one must learn to both give and take orders. In times of natural disaster or civil disobedience, officers must function as a coordinated unit. A small, well-disciplined cadre of officers exhibiting professional bearing can often control a much larger crowd without resorting to force.

At motor vehicle collisions, domestic disturbances and crimes in progress classes, you may find yourself forced to take charge, with no backup assistance available. Academy discipline forces you to be self-reliant and keeps you from over-reacting to situations.

Law enforcement is dangerous work. More than 58,000 American police officers are assaulted and as many as 100 are killed each year. An analysis of these incidents shows that officers who remain clear-headed don't succumb to fear or anger despite intense provocation, and officers who display an indomitable will to win are the ones who survive. When an Academy staff member shouts at you, disciplines you, or makes maximum demands of you, he or she is helping you to learn your limits and be able to withstand fear and danger in the real world. The convict who lifted weights at the State Prison for 5 years, ate a controlled diet, and now, in peak physical condition, confronts you in the street will be far less polite to you than our staff members.

The stress of law enforcement can also have a long-term debilitating effect on you. At the Academy, you will learn how you react under stress, and develop lifelong coping mechanisms.

Academics are important, too. Classroom work and practical exercises will teach you to read and interpret the law and court decisions, and investigate and prosecute complex cases. You will be tested each week, and can be dismissed if you fail to maintain a passing average three weeks in a row, or fail to finish with a grade of 70% or better. During the training period, you will receive the equivalent of a year in college, only because of the highly structured environment of the Academy.

WHAT TO EXPECT

On the "Entrance Agility Testing" day at the Academy, it is mandatory for you to pass pretest medical specifications and all of the physical fitness tests. You will receive your uniforms before or on the first day. Assigned roommate, platoon, and squad will be assigned during the first day of the academy. You will stand at attention, march or double-time everywhere you go, and learn how to salute, address superior officers, and make your bed using a hospital fold. Students will observe talking regulations as designated

by staff, and have no non-emergency communications with the outside world. If you make a mistake, you may be assigned discipline, or the whole class may be disciplined for the errors of a fellow officer. The staff may shout at you to see if you can tolerate stress, or succumb to anger or fear. You may be tempted to quit, but if you persevere, you will be better prepared for the next 20 years in a stressful profession.

As the days and weeks pass by, you and your classmates may earn additional privileges and develop a team spirit. When you graduate, you will know the sense of pride that comes from accomplishing things you never thought yourself capable of, and you will feel more confident and capable of handling the future challenges of the streets.

HOW TO PREPARE

Use the remaining time between now and the day you report to the Academy to prepare yourself, physically and mentally.

Spend quality time with your family and loved ones. Show them this letter and discuss it with them. Remember, they will be deprived of your companionship for 2-1/2 months, except for all-too-short weekends. Discuss what lies ahead for both them and you, and tell them of your love for them, and your determination to succeed and make them proud of you.

Do at least an hour of vigorous physical exercise daily, concentrating on push-ups, sit-ups and running. Work to exceed the Academy entrance requirements, because you will need to improve each week and pass a final test at the end of the training session. Remember, push-ups don't count unless done in the proper form, with elbows and knees locked, head up and back straight. Buy a pair of quality running shoes and some good running socks, and practice running on paved surfaces to toughen yourself against shin-splints.

If you have no military experience, ask a friend who has to show you how to march, square corners, stand at attention, and salute. Practice these moves around your home until you do them well. Ask a nurse or aide at a hospital or nursing home how to make a bed with hospital corners, and make your own bed at home in this fashion every day.

Borrow a Criminal Code and Motor Vehicle Code, and study them in your spare time to familiarize yourself with these laws.

Since you will fire hundreds of rounds of ammunition at the Academy, if your grip strength is weak, practice squeezing a rubber ball several minutes each day to strengthen your grip.

Remember that no matter how tough or callous they seem, the Academy staff and this agency have only one purpose in mind -- to turn you into the best possible police officer. If you properly prepare yourself and your family, you will succeed at the Academy. We look forward to seeing you in a few weeks.

If you have any particular physical problems or needs for which accommodation is required, you must make a written request at least fourteen (14) days prior to the beginning of the academy.

If you have any questions in advance of your attendance here, please call me. And, welcome to the fraternity of law enforcement, the most honorable profession in the world!

Very truly yours,

Earl M. Sweeney
Director

LAW ENFORCEMENT CODE OF ETHICS

AS a law enforcement officer, my fundamental duty is to serve mankind, to safeguard lives and property; to protect the innocent against deception, the weak against oppression or intimidation, and the peaceful against violence or disorder; and to respect the Constitutional rights of all men to liberty, equality and justice.

I will keep my private life unsullied as an example to all, and will behave in a manner which does not bring discredit to me, or to my agency. I will maintain courageous calm in the face of danger, scorn or ridicule, develop self-restraint, and be constantly mindful of the welfare of others. Honest in thought and deed in both my personal and official life, I will be exemplary in obeying the laws and the regulations of my department. Whatever I see or hear of a confidential nature, or that is confided in me in my official capacity, will be kept ever secret unless revelation is necessary in the performance of my duty.

I will never act officiously or permit personal feelings, prejudices, political beliefs, aspirations, animosities or friendships to influence my decisions. With no compromise for crime and with relentless prosecution of criminals, I will enforce the law courteously and appropriately without fear or favor, malice or ill will, never employing unnecessary force or violence and never accepting gratuities.

I recognize the badge of my office as a symbol of public faith, and I accept it as a public trust to be held as long as I am true to the ethics of the police service. I will never engage in acts of corruption or bribery, nor will I condone such acts by other police officers. I will cooperate with all legally authorized agencies and their representatives in the pursuit of justice.

I will constantly strive to achieve these objectives and ideals, dedicating myself before God to my chosen profession ... **LAW ENFORCEMENT.**

THE BADGE

A law enforcement officer's badge is a symbol of public faith. His complex and heavy responsibilities represent a public trust. Whenever an officer breaks this faith or violates this trust, the collective image of law enforcement suffers.

In recent years, law enforcement has made great progress. Equipment and facilities have improved. Significant and far reaching scientific advances have been made. However, all these achievements are meaningless unless every officer is morally committed to the ethics of professional police service.

Under prevailing conditions, this commitment requires perseverance of the highest order. Daily, in many areas, the law enforcement officer is the principal target of abuse from mobs and dissident groups. He is subjected to personal insults and physical attacks, and increasingly, he is falsely accused of brutality by persons who seek alibis and excuses for their criminal acts. Even so, his conduct must be above reproach. He must exercise self-restraint and remain calm and courageous, never deviating from this code of ethics.

There is no substitute for high principles. Where the ideals of justice are concerned, there can be no laxity. The ethics of an enforcement agency are no better than the ethics of its weakest officer. Honesty and integrity must ride in every cruiser, walk every beat, influence every command, and answer every roll call. Good ethics must be in evidence whenever and wherever duty calls, every minute of every day.

Compromise, personal feelings, animosities, and prejudices have no place in professional police service. Free handouts, cut-rate prices, gratuities, and preferential treatment are luxuries an officer cannot accept if he is to keep his professional dignity. These seemingly insignificant matters destroy an officer's objectivity and affect his official actions. All officers must strive to erase the ugly public image of the policeman without character. Absolute integrity is the only answer.

As we enter the New Year, let us make certain that the ethics which our work reflects, the ethics which we pledge to uphold, and the ethics in which we believe are one and the same--ethics of good police service.

FBI Law Enforcement Bulletin.

Receipt

**AFTER YOU READ
THE RULES AND REGULATIONS
AND UNDERSTAND THEM,

SIGN THIS FORM
AND SUBMIT TO THE COMMANDANT**

R & R 36

All recruits shall read these rules and regulations, and shall sign a form stating that they have read and understand all rules and regulations.

I HAVE READ ALL RULES AND REGULATIONS AND UNDERSTAND THEM.

PRINT YOUR COMPLETE NAME: _____

SIGN YOUR COMPLETE NAME: _____

DATE: _____ **DEPARTMENT:** _____

On-Going PT Testing

FROM: Director Earl M. Sweeney
RE: Mandatory Physical Testing
TO: All NH Law Enforcement Agencies

DATE: February 1, 2001

++++
Since January 1, 2001, RSA 188-F:27 has required all newly-hired officers to submit to, at 3-year intervals, a medical examination and take a physical fitness test, as a condition of continued employment.

This is a mandate on the officer, not the department, although departments are encouraged to assist their officers in complying.

The mandate will not apply to officers already on board as of midnight, December 31, 2000.

The first re-tests (of officers hired during 2001) will not occur until 2004, but they need to be made aware of this requirement at the time of hiring. PSTC will contact them 3 years later by sending letters to them and their employing agencies giving them a date to submit a copy of their medical exam and either report to the Academy for the p.t. test or furnish evidence that they have taken the test at their own department and passed it.

Every police, corrections, and probation-parole officer hired on and after January 1, 2001 is required to sign a notification from their department, and the department is required to submit a copy with their Form A at the time of hiring.

EMS/jve

§ 188-F:27. Education and Training Required.

Statute text

I. At the earliest practical time, the council shall provide by rule that after one year from the effective date of the rule no person shall be appointed as a police officer, state corrections officer, or state probation-parole officer, except on a temporary or probationary basis, unless such person has satisfactorily completed a preparatory program of police, corrections, or probation-parole training appropriate to such person's position at a school approved by the council. No such officer who lacks the educational and training qualifications required by this section may have the temporary or probationary employment extended beyond 2 years.

II. Every elected police officer shall be required to satisfactorily complete a preparatory program of police training at a school approved by the council. Any elected officer who has not complied with the educational and training requirements of this paragraph within 6 months after election shall be removed from office by the governing body of the governmental unit by which such officer was elected; provided, however, that the council may, for such reasons as it may specify in its rules, grant an extension of this time limit not to exceed an additional 6 months. A governing body which has removed an elected police officer from office under the provisions of this paragraph shall appoint a police officer to fill the vacant office. The appointed police officer shall continue to hold office until the elected officer who was removed has complied with the educational and training requirements of this paragraph or until an election is held, whichever occurs first. If any police officer who has failed to comply with the educational and training requirements of this paragraph is reelected, such officer shall not take office without permission of the council. If a noncomplying police officer who has not obtained the permission of the council to take office is reelected, the governing body of the governmental unit by which such officer was elected shall appoint a police officer to fill the vacant office. The appointed police officer shall continue to hold office until the elected officer has complied with the educational and training requirements of this paragraph or until an election is held, whichever occurs first.

III. The council, by rules adopted under RSA 541-A, shall establish the standards for physical and mental fitness under paragraphs III-a - III-h and shall fix other qualifications for the appointment of police officers, state corrections officers, and probation-parole officers, including minimum age, physical and mental standards, citizenship, good moral character, experience, and other such matters as relate to the competence and reliability of persons to assume and discharge the responsibilities of their offices. The council shall prescribe the means for presenting evidence of the fulfillment of these requirements.

III-a. At the earliest practicable time, the police standards and training council shall require that all uncertified part-time and full-time police officers, state corrections officers, and probation-parole officers, prior to assuming their duties, successfully pass a medical examination including a drug screening administered under the direction of a licensed physician according to protocols adopted by the council. Such examination, when conducted, shall be valid for a period of one year for purposes of application for employment.

III-b. At the earliest practical time, the police standards and training council shall require that all uncertified part-time and full-time police officers, state corrections officers, and probation-parole officers, as a condition of admission to a basic or reciprocal certification training program successfully pass a physical fitness performance test administered according to standards adopted by the council.

III-c. No later than January 1, 1999, the police standards and training council shall require that all uncertified part-time and full-time police officers, state corrections officers, and probation-parole officers, prior to assuming their duties, successfully pass a psychological screening test battery administered under the direction of a licensed psychologist or psychiatrist according to protocols adopted by the council and designed to detect behavioral traits that could adversely affect the person's ability to perform the essential functions of a law enforcement officer. Such an examination shall be valid for a period of one year from the date of administration for purposes of application for such employment.

III-d. Beginning January 1, 2001, the police standards and training council shall require that all certified police officers, state corrections officers, and probation-parole officers, hired after that date, as a condition of continued certification and employment furnish the council every 3 years with a certificate from a licensed physician, physician's assistant, or registered nurse practitioner who has conducted a medical examination of the officer according to protocols adopted by the council, certifying

that in the opinion of the examiner the officer is physically capable of participating in the council's physical fitness test.

III-e. Any officer who is unable to meet the medical requirements of paragraph III-d may request an additional medical examination by a physician chosen by the council. If the officer is still unable to meet the standards, such officer's certification shall be placed in a probationary status for a period of up to 2 years, during which time the officer may request re-examination at any time. If following the 2-year period the officer is still unable to meet the standards, the officer's certification shall be suspended until such time as such officer obtains the medical certification required in paragraph III-d.

III-f. Beginning January 1, 2001, the police standards and training council shall require that all certified police officers, state corrections officers, and probation-parole officers, hired after that date, as a condition of continued certification and employment every 3 years pass a physical fitness performance test administered by the hiring authority or the council, according to protocols adopted by the council.

III-g. Any officer who is unable to meet the physical fitness performance requirements of paragraph III-f may request an additional physical fitness performance test administered by the council. If the officer is still unable to meet the standards, such officer's certification shall be placed in a probationary status for a period of up to 2 years, during which time the officer may request re-examination at any time. If, following the 2-year period, the officer is still unable to meet the standards, the officer's certification shall be suspended until such time as such officer is able to pass the physical performance test.

III-h. In any case where the council has reasonable grounds to doubt that the medical examination performed as required in paragraph III-d was performed in accordance with the appropriate protocols, the council may require the officer to submit to a separate examination by a physician selected by the council, at the council's expense.

III-i. A licensed physician, psychiatrist, psychologist, or person acting under the licensee's supervision, whose examination administered under this chapter results in an employment decision adverse to a police, corrections, or probation-parole officer shall be immune from suit resulting from such examination or decision, providing such examination is conducted in good faith, not in a wanton or reckless manner.

III-j. To the extent required to comply with federal or state law, the council may grant a waiver, with respect to employment at a specific agency, to an officer who cannot meet the standards in paragraphs III-d - III-g.

III-k. Nothing in this section shall prevent individual hiring agencies from adopting physical fitness programs for their officers that are more stringent or frequent than those required in this section.

III-l. Except as provided in paragraph III-h and notwithstanding other provisions of law to the contrary, a hiring authority may assess a testing fee to cover all or part of the cost of any medical or psychological examination in cases where the person has been given a conditional offer of employment. A hiring authority may also make repayment of a testing fee part of any training or hiring contract that establishes a minimum term of employment for such an officer.

IV. The council shall issue a certificate evidencing satisfaction of the requirements of paragraphs I, II, and III to any applicant who presents such evidence as may be required by its rules of satisfactory completion of a program or course of instruction in another jurisdiction equivalent in content and quality to that required by the council for approved police, corrections, or probation-parole, as appropriate, education and training programs in this state.

V. Any employee of the New Hampshire fish and game department who has the general power to enforce all criminal laws of the state serving under permanent appointment prior to August 23, 1979, shall not be required to meet any requirements of paragraphs I and III.

VI. Any investigator who has the power to enforce the criminal laws under RSA 106-A and RSA 287-E and rules of the sweepstakes commission and department of safety and who was serving under a permanent appointment prior to July 1, 1986, shall not be required to meet the requirements of paragraphs I and III; however, any investigator referred to in this paragraph shall complete such limited programs as may be prescribed by the police standards and training council under this section within one year of the date the programs are required. Should any investigator exempted from the requirements of paragraphs I and III of this section by this paragraph terminate employment with the department of safety and be hired as a police officer by another police department of the state or a political subdivision thereof, the inspector's certification shall lapse and may be reinstated upon completion of such necessary additional training courses as the police standards and training council may prescribe.

VII. Any special agent of the state liquor commission who has the power to enforce the criminal laws under RSA title XIII and rules of the state liquor commission and who was serving under a permanent appointment prior to August 13, 1985, shall not be required to meet the requirements of paragraphs I and III; however, any special agent referred to in this paragraph shall complete such limited programs as may be prescribed by rule adopted under RSA 541-A by the police standards and training council under this section within one year of the date the programs are required. Should any special agent exempted from the requirements of paragraphs I and III of this section by this paragraph terminate employment with the state liquor commission and be hired as a police officer by another police department of the state or a political subdivision thereof, the special agent's certification shall lapse and may be reinstated upon completion of such necessary additional training courses as the police standards and training council may prescribe by rule adopted under RSA 541-A.

VIII. [Repealed.]

Police Academy Rules and Regulations

GENERAL ORDER: 12-96

SUBJECT: Police Training Academy
Regulations

CALEA STD. REF. _____

EFFECTIVE DATE: 10/1/76
Revised 4/89
Revised 8/12/96
Revised 1/24/01

APPROVED _____

A. DISCUSSION

- A1. This policy consists of the regulations adopted by the Director of the NH Police Standards & Training Council for the conduct of the NH Police Training Academy, and as applicable sets forth the proper conduct to be followed by Council employees, visiting staff members, instructors, and students at the Academy.
- A2. Violation of any of these policies shall be cause for disciplinary action, up to and including dismissals.
- A3. These rules apply to the New Hampshire Police Academy, and the New Hampshire Part-Time Officer Training Program, as applicable. Questions regarding specific rules should be directed to the Commandant or Program Coordinator.

B. GOALS AND OBJECTIVES

- B1. The goals and objectives of the NH Police Training Academy are to:
 - a. provide each recruit with structured training consisting of a curriculum approved by the NH Police Standards & Training Council for recruit officers, to prepare them for certification by the Council as full-time police officers;
 - b. measure the proficiency of each recruit in a variety of academic subjects, by requiring that each recruit maintain an academic average of 70% in weekly examinations, and to require dismissal or other sanctions in the case of a recruit who fails to maintain a passing average for three consecutive weeks, and to refuse to certify a recruit whose final average is less than 70%, or who fails to pass a mandatory course;
 - c. provide each recruit with the required number of hours of practical training and lecture in high-risk patrol tactics;
 - d. provide each recruit with the required number of hours of practical training and lecture in emergency driving, and require that each recruit, as a condition of certification, pass both written and practical examinations in this subject;
 - e. provide each recruit with the required number of hours of practical training and lecture in defensive tactics, handcuffing, searching, and other uses of force, (e.g.

- O.C., baton, etc.), and require that each recruit, as a condition of certification, demonstrate to the instructor an acceptable level of proficiency in these activities;
- f. provide each full-time recruit with firearms familiarization training which meets or exceeds Council standards in rule Pol 404.03 for annual firearms qualification, as a condition of certification;
 - g. provide each recruit with training in first aid, and in cardiopulmonary resuscitation (CPR);
 - h. provide each recruit with a lecture on physical fitness, and regularly scheduled physical fitness activity consisting of calisthenics, weight-training exercises, and running;
 - 1) The purpose of this is to determine that each recruit meets an acceptable minimum level of cardiovascular and muscular fitness and flexibility, demonstrates progress over the length of the Academy, and is encouraged to pursue a personal lifetime goal of a healthful diet and lifestyle.
 - 2) Each recruit shall satisfactorily pass the mandatory entrance physical fitness tests according to standards specified by the Council.
 - 3) Each recruit shall fully participate in daily physical fitness training at the direction of staff, unless temporarily excused due to injury or illness.
 - a) Fully participate is defined by the scheduled PT day-to-day roster provided by the staff.
 - 4) Each recruit shall satisfactorily pass the final physical fitness tests according to standards specified by the Council, as a condition of certification.
 - i. provide each recruit with an exposure to and appreciation of paramilitary discipline in a law enforcement agency, by:
 - 1) providing an atmosphere in which recruits learn how to march, execute simple commands such as right- and left-face, about-face, attention and at-ease, and render a hand salute;
 - 2) addressing superior officers with military protocol;
 - 3) showing proper respect for the flag;
 - 4) taking charge of a squad of officers;
 - 5) providing an understanding of the means by which discipline can contribute to unit pride, self-discipline, and an ability to set and exceed high personal standards.
 - 6) A merit/demerit system shall be used, and the Director or his/her designee may dismiss students who accumulate 25 demerits.
 - j. provide each recruit with training in Community Policing, and to integrate into every possible aspect of the recruit training program, an appreciation of the service role of the police and the public's expectation that a law enforcement officer

respect the rights of all individuals and display the qualities of courtesy, empathy and friendliness;

- k. monitor and control the hours of work time of each recruit, as defined by the federal Fair Labor Standards Act and the Garcia decision of the US Supreme Court, so that no recruit exceeds 43 hours a week of actual work time;
 - 1) Each class day shall include a break after each hour of instruction, wherever practical.
- l. provide a climate in which each recruit is challenged both academically and physically, but is also encouraged to pursue a law enforcement career. This climate shall be free of sexual and racial harassment, and staff shall provide appropriate role models of professional police officers by their honesty, proficiency, and level of language and behavior;
- m. instill in recruits a sense of how their performance and behavior are constantly subject to public scrutiny and affect the public perception of the police;
 - 1) To this end, recruits and staff shall demonstrate an awareness that they are located in the City of Concord and adjacent to the campus of the NH Community Technical Institute, and behave appropriately as good neighbors, with an awareness of how Police Training Academy activities can reflect favorably or unfavorably on the image of all police officers.

C. TRAINING ACADEMY ACADEMIC REQUIREMENTS

C1. General Requirements

During the duration of the Academy, students will be subjected to numerous examinations, plus a final written examination, to demonstrate their grasp of the academic subjects.

C2. Failure to Maintain Average

If a student fails to maintain a passing average of 70% or better overall for three consecutive modules, they can be dismissed from the Academy for academic reasons.

- a. Also, irrespective of their overall average, they are required to score at least 70% on all modules or retests. If the student fails to secure 70% or better on a retest, he/she will be required to attend that class at the next academy session and take the test again.

C3. Tips on Preparation for Examinations

- a. Taking notes in class. Students should not try to write down what the instructor says verbatim, but instead outline the major points.
 - 1) A major point can be recognized by:
 - a) instructor's voice inflection;

- b) material that is written on the blackboard or displayed on an overhead transparency;
 - c) information the instructor repeats or emphasizes.
- b. If there is an interactive handout in their notebook, or given out by the instructor, students should use it to assist them in taking notes.
- c. The section of the recruit manual pertaining to each academic subject should be read thoroughly, and students should make additional study notes on the main points in the manual.
- d. Students should read any supplemental books issued to them, such as the Motor Vehicle Code, Criminal Code, Attorney General's Law Enforcement Manual, Emergency Driving textbook, First Aid textbook, etc.
 - 1) Take notes on the major points.

C4. Use of Reviews:

- a. A list of review questions is included in the recruit manual after many sections to assist students in studying the materials in that section.
- b. Students should use these reviews to prepare for the examination.
- c. Although most of the questions on the examinations will be multiple choice or other objective types of questions such as true/false, the review questions are worded in such a way that a student who has mastered the material on the review should be able to pass the examination.
- d. **If a student has been excused from a class because of a court appearance or a family emergency, he/she will be required to attend the next Academy session, repeat the class and pass the test as well as the final exam, before being certified as a police officer.**
- e. Efforts will be made to group students to study with a partner, and ask each other questions when permitted to do so by staff.
 - 1) If anything is unclear to a student and a fellow student cannot be of assistance, they should not hesitate to seek out a staff member for individual student assistance.

D. RULES & REGULATIONS

D1. Applicability

These rules and regulations supersede all previous rules and regulations pertaining to the NH Police Training Academy.

D2. The Honor System:

- a. *HONOR* is the guiding principle of every endeavor involving the law enforcement profession.
- b. *INTEGRITY* is the accepted basic attitude of every POLICE OFFICER.
- c. Intentional dishonesty is inexcusable, and will not be tolerated.
- d. Consistent with the principles of *honesty and integrity*, therefore, it is assumed that at all times students' work and reports will be true and correct.
- e. All good citizens are expected to live up to honorable practices; that is particularly true of all police officers.
 - 1) Students are not to behave dishonorably themselves, or to tolerate, cover up for, or fail to report others who do.
 - 2) Any action or conduct contrary to those practices will be considered conduct which brings discredit on the Academy and the police profession, and may result in disciplinary action or dismissal.
 - 3) Also see Item E39 p.

D3. Demerit or Disciplinary Action:

- a. Any infraction of the rules, regulations or Standard Operating Procedures of the NH Police Training Academy by a student officer may be subject to demerit or disciplinary action administered by the staff.
- b. A demerit is a negative grade given to a student for an infraction. The demerit system is used by the Academy in order to affix a value to each default of performance or personal conduct.
 - 1) The system serves as a method of grading the student's ability to recognize and adhere to high standards and attention to detail.
 - 2) It is also used in making a final evaluation of each student.
- c. Demerits are given at the discretion of the staff, subject to the approval of the Commandant.
- d. Demerits may be worked off by accumulated merits at the discretion of the staff on a one for one basis.
- e. The Director may waive demerits for good cause.

f. Demerits:

<u>OFFENSE</u>	<u>DEMERITS</u>
1) Academy hats	
a) Dirty	3
b) Unserviceable	3
c) Improperly worn	1
d) Worn inside building	1
e) Not worn outside building	1
2) Haircut, shave	5
3) Shirt or jacket	
a) No name tag	3
b) Missing buttons	1
c) Unbuttoned	1
d) Hole(s)	3
e) Dirty	3
f) Not pressed	2
4) Trousers	
a) Dirty	3
b) Missing buttons	1
c) Pocket unbuttoned	1
d) Hole(s)	3
e) Not pressed	2
5) Footwear	
a) Unshined (or dull)	3
b) Muddy	3
c) Cracked, torn or holes	3
d) Worn-down heels	1
e) Need repair	1
6) Living Quarters	
a. Unsatisfactory	5
7) Miscellaneous	
a) AWOL	5
(To be determined by staff and Director)	
b) Insubordination	5
c) FFI (failure to follow instructions minor offense)	
(1) Not paying attention	3
(2) Conduct unbecoming	5
(3) Off limits	5
(4) Negative attitude	5
(5) Other	1-5

f. Merits:

1) Merits are given to a student for outstanding performance or outstanding personal conduct during the program.

2) Value of merits: MERITS

a)	Outstanding boots	3
b)	Outstanding appearance	5
c)	Outstanding living quarters	3
d)	Outstanding attitude (esprit de corps)	5
e)	Other	1-5

g. Disciplinary Actions: Academy staff can at their discretion issue push-ups or sit-ups in lieu of, or in addition to, demerits for violations of rules in accordance with this schedule.

<u>Week</u>	<u>Push-ups</u>	<u>Sit-ups</u>
1	15	15
2	20	20
3	25	25
4	30	30
5	35	35
6	40	40
7	45	45
8-12	50	50

Push-ups or sit-ups when administered will be in proper form and on a normal count. No more than 3 sets of push-ups or sit-ups will be required, with adequate recovery time between sets.

They may also issue a disciplinary action memorandum (DAM) which requires the student to explain the behavior and how they intend to correct it.

D4. Dismissal:

a. A student officer may be dismissed from the Academy by the Director of the NH Police Standards & Training Council, or his/her designee, for the following reasons:

- 1) Any flagrant infraction of the Academy rules, regulations or Standard Operating Procedures;
- 2) Accumulation of 25 demerits by a student officer;
- 3) Academic failure for three consecutive weeks;
 - a) Consistent inability to maintain a 70% average may warrant dismissal.
- 4) Inability, due to illness or injury, to physically meet the prerequisites for successful completion of the Academy;

- 5) Failure to put forth a full effort and fully participate in the scheduled day-to-day PT workout listed in the roster provided by the staff may warrant dismissal.
- 6) Inability, or unwillingness, to fully participate in the physical training program for a period totaling 10 days, over the course of an academy session.

D5. Prerequisite for Successful Completion:

- a. For a student to successfully complete the NH Police Training Academy, the following minimum requirements shall be met:
 - 1) Academic
 - a) A student shall achieve an academic average of 70% or better, plus a grade of 70% or better in all modules and the final exam. Failure to obtain 70% or better on the above-listed modules may result in the student retaking the failed module and examination at the next Academy.
 - 2) Physical Training
 - a) A student officer shall satisfactorily complete the final physical fitness test, as established by the NH Police Standards & Training Council.
 - 3) Firearms
 - a) A student officer shall satisfactorily complete the firearms program, as established by the NH Police Standards & Training Council.
 - 4) Driving
 - a) A student officer shall satisfactorily complete the driving program, as established by the NH Police Standards & Training Council.
- b. A student who fails to meet the above requirements shall not be certified as a police officer.
 - 1) A student enrolled in the basic academy program is expected to successfully complete all required hours in order to gain the basic certification.
- c. A student who fails academically may be required to satisfactorily complete the entire Academy. Re-entry into the Academy shall be subject to review by the Director.
- d. A student who fails to meet requirements in D5. a. 2), 3) or 4) shall be afforded one opportunity to satisfactorily complete them at a future time determined by the Director. The student shall have the responsibility to contact the academy when he or she is ready to meet the requirement, but not sooner than 30 days or later than 60 days from graduation

- e. A student's employing agency shall be notified in writing, when a student fails any prerequisites.
- f. A student attending classes as a requirement of certification based on prior training and experience may be subject to "c" above, and with regard to any other modules failed, may be allowed to retake the examination and upon a failure of re-examination, to retake the modules once and satisfactorily complete the examinations, at the option of the Director.
 - 1) The Council may refuse to certify a student who fails the second time.

D6. Appeal:

- a. A student officer may appeal his/her dismissal from the Academy, in writing, to the Director, in accordance with the NH Police Standards & Training Council's Rules and Regulations.

D7. Absences/Tardiness:

- a. Only the Academy staff may excuse a student from any classes. If a student is excused, he/she will report that fact to the squad leader. Any classes missed must be made up at the next academy session, prior to certification being issued.
- b. Students are tardy if they are not in their proper place at an assembly or designated class session, according to the time listed on the schedule. If a student is tardy, the staff is authorized to use their discretion in correcting the situation. If the student is a repeater, his/her misconduct may be cause for dismissal.
 - 1) Also see Items D24 and D25.
- c. No student shall leave the Academy without first obtaining permission from a staff member.
 - 1) When a student leaves the Academy for any reason, a written communication, signed by a superior officer from their respective agency, shall be presented to the Commandant indicating the reason(s) for the absence.
 - a) This may be presented either before or after the fact.
 - 2) When a student leaves the Academy, he/she shall complete their business and return without delay. As noted in D7 a., all missed classes must be made up at the next academy session.

D8. Agents and Salesmen:

- a. No agents, salesperson, or other personnel shall canvass, display or sell any product to students, and no student or staff member may act in any capacity as a representative of a business firm, without permission of the Director.

D9. Quiet Time:

- a. Students should be encouraged to use quiet time to study past assignments and classes, or prepare for examinations or classes scheduled for the following day, or for additional physical fitness exercise.
- b. Each student shall respect the rights of others to study. Playfulness, commotion, or prohibited conversation or other disruptive behavior may be cause for disciplinary action.
- c. Dormitory room doors shall be kept completely open while studying, and group studying may be allowed at the discretion of the staff.

D10. Courtesy:

- a. The military regulations governing honors, courtesies and the salute to the American flag and national anthem shall be utilized.
- b. A student shall display a respectful and courteous attitude towards all persons.
- c. Conversations with civilians or other personnel not directly connected with the Academy are prohibited, unless permitted by staff.
- d. Upon reporting to, or encountering for the first time in a given day, the Director, Assistant Director, or a recognizable or uniformed commissioned officer (Lieutenant or above) of the Council Training Staff or any law enforcement agency, the student shall render a hand salute. Upon the entry of such an official into the room, the class shall be called to attention. The class shall not be called to attention when engaged in physical training, physical tactics, a lecture, firearms training, or another learning exercise where an interruption would be caused thereby. Salutes will be rendered at other times as directed by the staff.
 - 1) Also see D39 a.
- e. In responding to questions from officers, instructors and civilians, the student shall use "Yes, Sir," or "No, Sir," or "Yes, Ma'am," or "No, Ma'am," as applicable.
 - 1) Also see D39 d.
- f. Upon encountering in the hallway, or elsewhere, a commissioned officer of the Council training staff, the recruit may pass, but shall say "Sir, good morning sir" or "Ma'am, good afternoon, ma'am," etc., as appropriate.
- g. When passing in the hallways, recruits shall not be required to halt for persons encountered, but shall square any corners and shall walk in an erect, military fashion with eyes straight ahead, head up, and shoulders squared.

D11. Equipment:

- a. All students shall be held responsible for the care of equipment, regardless of whether it is issued to an individual or provided for general use.

- b. No article of Academy equipment issued to a student, or property of any kind not belonging to a student, shall be removed from the Academy premises without the permission of the Academy staff.
- c. Students shall be subject to replacement cost for any equipment negligently or recklessly damaged, destroyed or lost.
- d. Theft of Academy property or that of any other person shall result in dismissal, and may also result in criminal prosecution.

D12. Examinations/Grades:

- a. Each student shall maintain a passing average. (See Rules and Regulations Item 5.)
- b. Written examinations shall be held as prescribed.
 - 1) All students shall be responsible for all subject matter presented at the Academy, whether in written, oral or practical form.
 - 2) Examinations shall be presented as modules.
 - a) Failure of a modular examination shall result in the student taking a re-test.
 - b) This re-test shall not affect the student's grade. However, on re-testing, a passing grade shall not expunge the failing grade. The failing grade shall be utilized in computing the student's overall average.
- c. Grades:
 - 1) Each examination shall be graded individually.
 - a) Each examination shall be graded by the number of modules given in that examination.
 - b) Example:

Module Search and Seizure	75
Module Laws of Arrest	90
Module Domestic Violence Dynamics	<u>73</u>
	237

3 modules - examination grade average is 79%
 - c) The final examination is a 70% minimum requirement certification exam, and as such is not considered in the computation of class ranking.

D13. Notebooks:

- a. Notebooks in the full-time Academy will be graded on a pass/fail basis and shall be required to be re-submitted as a condition of certification if unsatisfactory. A passing notebook is a requirement for certification.
- b. All students undergoing instruction at the Academy shall organize a permanent set of notes into a notebook or notebooks, according to subject/module.
- c. Handwritten notes shall be taken at all lectures and classroom sessions unless otherwise directed by the instructor, and placed in the appropriate section of the Academy notebook(s).
- d. Notebooks may be collected at a prescribed time for grading.
- e. Notebooks shall be subject to review at any time.
- f. Also see D42 a.

D14. Dining Hall:

- a. The dining hall etiquette of students shall be in accordance with the principles of approved Academy usage and custom.
- b. Loud and boisterous conduct shall not be tolerated.
- c. Utensils or food shall not be brought out of the dining hall, unless approved by staff on an individual basis.

D15. Use of Police Authority:

- a. No student, while attending the Academy, shall exercise any police power on Academy grounds, except in an emergency and under the supervision of superior officers.
- b. No firearms, ammunition, or other weapon shall be brought into the training facility, except at the direction of the staff.
 - 1) Also see D39 o.

D16. Rooms:

- a. Students shall be individually responsible for the cleanliness of their dormitory rooms on a daily basis.
 - 1) Demerits may be equally shared among the occupants of a dormitory room if, upon inspection, it is found to be dirty or in disarray.
 - 2) Consistent failure to keep a clean room may result in dismissal.

- b. Students shall be assigned to cleaning details for the toilets, showers, floors, ashtrays and trash cans outside their dormitory rooms.
 - 1) Failure to perform satisfactorily on a cleaning detail may result in demerits or dismissal from the Academy.
- c. No personal gear shall be left unstored in rooms except for computers.
 - 1) All toiletries gear shall be put away out of sight.
 - 2) Towels and foot gear shall be arranged as directed.
- d. Bunks shall be made as instructed.
 - 1) Extra blankets shall be folded at the foot of the bunk or stored out of sight.
 - 2) All bunks in a room shall be consistent with one another.
- e. The contents of a dresser and closet shall be maintained as directed.
- f. Students shall not enter into another student's room or allow another student in their room without permission from staff.
- g. Under no circumstances shall a student be in another student's room or allow another student in their room after "lights out."
- h. Students shall not leave their respective rooms after "lights out" without staff permission.
 - 1) The only exceptions to this rule are:
 - a) to obtain a drink of water, or
 - b) to go to the latrine
 - 2) Students shall immediately return to their room at the completion of these exceptions.
- i. Any student not abiding by D16. f., g., and h., may be immediately dismissed.
- j. Any item not authorized or approved by staff in a recruit's room or on his/her person is considered to be contraband and subject to seizure and disciplinary action. Examples include, but are not limited to, candy, gum, any type of weapon or ammunition, extraneous study materials, tape recorders, tobacco products, prescription and non-prescription drugs, foodstuffs, etc.
- k. All desks shall be consistent with one another.

D17. Gambling:

- a. Gambling of any type is prohibited.
- b. This includes buying and selling chances of any type.

D18. Hazing or Horseplay:

- a. Hazing or horseplay, or failure to intervene and report same, is strictly prohibited at the Academy, and may result in immediate dismissal.

D19. Inspections:

- a. Inspections may be held daily as outlined in the Academy training schedule, and may be held at unscheduled times as well.
- b. Haircuts, shaves, shoes, brass, and general cleanliness shall meet with Academy staff approval, or demerits may be issued.
- c. Recruits are hereby placed on notice that rooms, belongings and mail are subject to inspection by staff at any time, and accordingly there is no expectation of privacy in such areas or items.

D20. Liquor and/or Drugs:

- a. The possession or drinking of alcoholic beverages or having the odor of alcoholic beverages on one's breath, or possession or taking of non-prescribed drugs or prescription drugs or potent medications not reported to, and approved by, staff is prohibited on the Academy premises.
- b. A member of the staff shall be notified in writing immediately if any student brings prescribed drugs to the Academy.
 - 1) Also see D39 m.
- c. Violation of this rule may result in dismissal.

D21. Visitors:

- a. Students shall not receive visitors unless approved by staff.
- b. Mail received at the Training Facility is opened and screened by the office or academy staff.

D22. Staff Quarters:

- a. Any staff area in the classroom is off limits to students.
- b. The staff living quarters in the dormitory area are off limits without permission of staff.
- c. Staff members are available to students at any reasonable time for any reason.

D23. Telephone Calls:

- a. Except in cases of emergency, no telephone calls shall be referred to a student during class sessions, or when it will interfere with the preparation for his/her classes.
 - 1) Also see D39 I.
- b. All personal telephone calls shall be transmitted and accepted through the public pay telephones.
- c. No telephone calls shall be made or accepted during study periods or after "lights out," unless in case of emergency or with staff permission.
- d. Personal telephone call privileges during the week shall be initiated by staff on a predetermined basis.
- e. No personal cell phones or pagers, or department cell phones or pagers, are allowed to be possessed by recruits.

D24. Daily Routine:

- a. A student shall be prompt in responding to all classes, assemblies, and other training programs.

D25. Classroom Conduct:

- a. Each student shall sit erect in class and be properly attired.
 - 1) In order to achieve uniformity of dress, proper attire shall be designated by staff.
- b. Each student shall be seated in his/her respective seat promptly at the commencement of the class period.
 - 1) The daily class schedule indicates the beginning and ending of the class periods.
- c. To secure the attention of the instructor, each student shall raise his/her hand.
 - 1) When recognized by the instructor, the student shall ask the question in a clear voice.
 - a) The student shall preface all questions, comments or remarks with either "Sir" or Ma'am," as applicable, or by rank or title of instructor.
 - (1) Also see D39 d.
- d. Classrooms shall be kept neat and orderly at all times.

- 1) No food or drinks shall be brought to the student's desk without permission of the instructor.
- e. Smoking or use of any tobacco products by recruits is prohibited.
- f. A student shall be alert and attentive during class and breaks.

D26. Platoon and Squad Leaders:

- a. A student chain of command shall be established within the Academy by staff, to promote responsibility and leadership development.
- b. Assignments to command positions may be rotated frequently or reassigned as directed.
- c. Chain of command:
 - 1) Commandant
 - 2) Assistant Commandant
 - 3) Academy staff members
 - 4) Platoon leader
 - 5) Squad leader
- d. Duties and responsibilities:
 - 1) The platoon leader:
 - a) takes command in the absence of staff;
(1) Also see D39 a. 1)
 - b) forms and dismisses the platoon as directed by staff;
 - c) receives the report from the squad leaders;
 - d) maintains an accurate, up-to-date roster of absentees and reasons for absences;
 - e) ensures that the platoon reports to the duty location as scheduled;
 - f) ensures that classroom procedures are followed;
 - g) reports to the instructor to receive any other instructions;
 - h) ensures that students wear the prescribed duty uniform of the day and have all equipment and/or materials needed for classes;
 - i) ensures discipline among the members of the platoon;

- j) performs other duties as directed by staff.
- 2) The squad leader:
 - a) ensures discipline among the members of the squad;
 - b) ensures that all squad members are present and on time at required formations, and in proper uniform;
 - c) performs other duties as assigned by the staff or platoon leader.

D27. Class Uniforms:

- a. Uniforms issued by the Academy shall be worn by all students unless otherwise directed by staff.
- b. Shirts, if issued or worn, shall be kept buttoned except at the collar, and tucked into trousers.
- c. Students shall wear an Academy name tag on the upper right of the outer garment at all times.
- d. Recruits will return academy uniforms, linen, criminal code, motor vehicle, and AG's manuals at the end of the session.
- e. There shall be no alterations on uniforms without permission from staff.
- f. All issued uniforms and linens shall be turned in when the student terminates.
- g. Students not abiding by Rules D27 a. - f. may be subject to disciplinary action or dismissal.
- h. Students may be liable for the replacement cost of any uniform or equipment negligently or recklessly damaged, destroyed or lost, or any damage to Academy facilities or property.

D28. Appearance:

- a. Students shall comply with the Council's Rules and Regulations pertaining to shaves and haircuts.
- b. Male:
 - 1) Hair shall be worn short and off the ears and neck, and well-groomed.
 - 2) Sideburns shall be well-trimmed, and no longer than the middle of the ear.
 - 3) Beards and mustaches are prohibited.
- c. Female:

- 1) The hair shall be well groomed, and short in length; or if long, shall be rolled up to be as short as possible and out of the face. Hair is to be tucked under the uniform cap.
- d. Wearing of earrings and all body piercing jewelry are prohibited.
- e. Tattoos deemed offensive by staff shall be covered as directed by staff.

D29. Physical Fitness Program:

- a. All students shall fully participate and put forth a full effort in all physical fitness training, unless excused by a physician or a staff member.

D30. Firearms:

- a. No student shall have, in his/her possession or room, a firearm or ammunition, without authorization from Academy staff.

D31. Transportation:

- a. Students may be required to furnish their own transportation at their own expense on occasion while at the Police Training Academy, and shall carry adequate liability and property damage on their vehicles.
- b. Use of vehicles:
 - 1) Students shall observe and comply with all motor vehicle laws of the State of New Hampshire.
 - 2) Students shall observe and comply with all motor vehicle regulations set by the NH Police Standards & Training Council, the NH Community Technical Institute and other locations as designated.
- c. Students, while operating vehicles in the performance of Academy activities, shall operate said vehicles in a manner designated by the Police Training Academy staff or other assigned personnel.
- d. Seat belt use is mandatory for all students and staff while on Council business.

D32. Reporting Violations:

- a. Subject to penalty of dismissal, any student having knowledge of a rule violation or criminal offense committed by another student shall forthwith report same to the staff, and shall cooperate with any internal investigation of a rules violation by answering fully, honestly and directly any questions about the situation, and by giving a written statement upon request.
 - 1) Also see D38 a.

- b. Subject to penalty of dismissal, any student having knowledge of a rule violation or criminal offense committed by a staff member shall at the earliest opportunity report same to the Director or Assistant Director, and shall cooperate fully with any internal investigation by answering fully, honestly and directly any questions about the situation, and by giving a written statement upon request.
- c. Students shall submit to a polygraph examination narrowly and directly related to a disciplinary issue upon request of the Director or Assistant Director, subject to penalty of dismissal for refusing.
- d. Also see D41 a. and D42 b.

D33. Safety Rules:

- a. Students shall obey all safety rules in each program including, but not limited to, firearms and defensive tactics, and upon viewing any unsafe action by a student or staff member which may jeopardize any person, are expected to interrupt the activity and call the violation to the attention of the ranking staff members present at the time.

D34. Illness or Injury:

- a. Students shall verbally report, as soon as possible, to a Police Training Academy staff member, all illnesses and injuries occurring while attending the NH Police Training Academy.
- b. Ill or injured students shall complete the NH Police Training Academy's Accident/Illness Report form for any illness or accident which requires medical attention, immediately upon his/her return from a doctor or hospital visit.
 - 1) Employing agency shall be notified as soon as possible.

D35. Medical Attention:

- a. When a student requires medical attention for a non-emergency illness or injury, he/she shall immediately report to sick call at reveille.
- b. A Police Training Academy staff member may transport the student to a designated medical facility for treatment or, if necessary, may designate a person to transport the student.

D36. Chanting:

- a. Only approved chants may be used.
 - 1) No chant shall contain any words which are potentially ethnically or sexually offensive, vulgar, or insulting to any person or group of people.

- b. Chanting shall be restricted to the Academy property and is prohibited on the grounds of the NH Community Technical Institute, except that one student may call cadence with approval of a staff member.
- c. Students shall be especially careful to avoid making unnecessary noise in proximity to student dormitories or classrooms at the Community Technical Institute, or thickly settled residential areas, as this can interfere with the rights of others to study or sleep.

D37. Physical Contact:

- a. No student may engage in non-training physical contact of any kind with any other person. Non-training physical contact is defined as kissing, touching, hand-holding, etc.

D38. Investigations:

- a. Any student asked for information by staff in the investigation of any type of incident, involving themselves or a fellow student, shall respond truthfully and completely as to any knowledge he/she has of the incident.

D39. Staff Policies:

- a. Recruits shall come to attention when any Academy staff member enters any dormitory room, classroom when class is not in session, and/or group gathering. However, while the class is in session, the platoon leader shall not interrupt the instructor by calling the class to attention.
 - 1) The recruit platoon leader is responsible for calling the platoon to attention in the classroom, or he/she may delegate a squad leader in his absence to assume the responsibility.
 - 2) Any recruit may call recruits to ATTENTION in all other situations or areas when an Academy staff member enters.
- b. While at the Police Training Academy, recruits shall stand at attention when addressed by an Academy staff member.
- c. While at the NHCTI cafeteria, recruits shall sit at attention when addressed by any Academy staff member.
- d. Recruits shall stand at attention when asking an Academy staff member a question. They shall say, "Sir, Recruit (name, agency Police Department), (asks question), Sir." Academy staff member answers the question. Recruit shall then say, "Sir, thank you, Sir." They shall sit back down or request permission to leave.
- e. Recruits shall act in an appropriate military manner during a class break and remain standing until the instructor tells them to be seated, or the recruit platoon leader gives the directive to sit down.

- f. Recruits shall arrive at the NH Police Training Academy no later than (NLT) 0715 hours each Monday morning. NLT 0730 hours, recruits shall be in an area designated by staff, in the proper uniform, for an inspection.
- g. Recruits' heads and eyes shall always remain to the front unless permission is granted by the Academy staff to do otherwise.
- h. Recruits shall *NOT* speak to anyone unless permission is granted by the Academy staff.
- i. Recruits shall "square all corners at all times at all locations," unless otherwise directed by staff, except as otherwise provided in these rules.
- j. Recruits shall ensure that their hands are in their "proper position" while marching and/or standing at attention.
- k. Recruits shall study *ONLY* at their desks. They shall *NOT* study in their bunks. Other study locations shall be determined by Academy staff.
- l. Recruits shall *NOT* be allowed to make unscheduled telephone calls unless there is an actual emergency. An Academy staff member shall determine if the emergency is actual. A time shall be assigned to accommodate regular routine use of the upstairs phone booths for outgoing calls.
- m. Recruits shall advise Academy staff of any physical or medical condition that they may have. A physician's signed statement shall be placed in the recruit's file.
- n. Class shall thank all instructors at the completion of their class. The class shall say, "Sir, thank you, Sir/Ma'am."
- o. No weapons or ammunition shall be brought into the Academy facility without express permission of the staff, and no loaded weapons carried, stored or displayed at any time except as directed by a firearms instructor.
- p. The class "Priority of Behavior" is *PRIDE, INTEGRITY and PROFESSIONALISM*.
- q. The following are not allowed, and are considered contraband:

(1) unauthorized pagers	(7) non-medical jewelry
(2) cell phones	(8) sweat bands
(3) food	(9) any tobacco products
(4) candy	(10) lighters
(5) gum	(11) clock radios
(6) drinks other than water	(12) computer game software
- r. Recruits will report, in writing, to the Academy Staff any drug(s), medication(s), vitamin(s) and/or food supplement(s) in their possession.

D40. Unauthorized Study Materials:

- a. No student shall be in possession at any time of any unauthorized study materials, including copies of tests from the Police Training Academy, the part-time officers' school, or any in-house school presented by another department or agency.
- b. If a student arrives at an Academy with such materials in his/her possession, they shall either lock them in their vehicle and take them home at the first opportunity, or turn them over to a staff member at once.
- c. The purpose of this rule is to provide each student with an equal chance academically, and to prevent any student from utilizing outdated materials, since the Academy makes every effort to constantly revise and update its study materials.

D41. Unauthorized Information:

- a. No student at any time shall request from any person, who has already taken an Academy test, any information as to the specific questions and answers on that test.

D42. Notes and Notebooks:

- a. In conformity with Academy rules, each student is required to take handwritten notes at all lectures and classroom sessions, unless otherwise directed by the instructor, and place them in the appropriate section of the Academy notebook, and keep his/her own permanent set of notes according to subject/module and place them in his/her notebook.
- b. It shall be a violation of Academy rules to possess, or place in one's own notebook, notes taken by another student at a previous Academy session, unless otherwise authorized by staff, such as when one student takes notes for another during an authorized absence.

Per Order: _____
Earl M. Sweeney, Director

PSTC RULES & REGULATIONS

Cheating

GENERAL ORDER: 27-96

SUBJECT: Cheating

CALEA STD. REF. _____

EFFECTIVE DATE: 10/12/96

APPROVED _____

A. Cheating Prohibited

1. RSA 188-f:26 authorizes the Council to prescribe training requirements for police, state corrections, and probation-parole officers. The validity of curriculum standards is compromised when students engage in unethical test preparation practices, record test questions, share test questions with other students, or otherwise engage in activities that give themselves or others an unfair advantage on examinations.
2. The purpose of test administration is to allow the Council to assess each student's mastery of required course materials. Such mastery cannot be objectively measured when students cheat.
3. For purposes of these rules, "cheating" is any attempt or act by a student to gain an unfair advantage, or to give an unfair advantage to another student or group of students, taking a test in a course offered by the Council. It includes, but is not limited to, the following prohibited acts:
 - a. Using any materials which would give an unfair advantage to oneself, or providing such materials to other students so they may gain an unfair advantage when preparing for or taking a test. Such materials may include, but are not limited to, personal notes in any form, presenter notes or lesson plans, or parts thereof, Council or presenter-issued printed material (handouts), graphics, and information recorded on audiotapes, videotapes or computer diskettes;
 - b. Using or possessing Council or presenter-developed test materials unless the student is in the process of taking a test or engaging in post-examination review of the test while under the supervision of an instructor or authorized test proctor;
 - c. Obtaining or attempting to obtain test materials or test information improperly from any source, including but not limited to, copying from another student, theft of test materials, receiving or coercing test answers from others, or unauthorized observation of tests;
 - d. Plagiarism;
 - e. Intentionally aiding, abetting or concealing an act of cheating, or failure to disclose to the instructor an act of cheating.

4. Cheating, as defined in (3) above, is prohibited in all Council courses.

B. Penalty for Cheating

1. A part-time basic or recruit-level student who cheats shall be subject to the following:
 - a. A mark of "zero" on the test; and
 - b. Withdrawal from the academy; and
 - c. Shall be ineligible to re-enroll in the academy for at least two years, and then only after a majority vote of the Council authorizing re-enrollment.
2. An in-service student who cheats shall be subject to the following:
 - a. A mark of "zero" on the test; and
 - b. Withdrawal from the course and referral of the case to the sending department; and
 - c. A hearing before the Council to determine if the incident constitutes egregious misconduct of the sort that warrants suspension or revocation of certification under rule Pol 402.02.

Per Order Of: _____
Earl M. Sweeney, Director

FITNESS TESTING TECHNIQUES

Introduction

Dear Officer:

Enclosed please find a copy of the recruit academy entrance-level physical fitness test and related information on the academy.

We are sending you this information so that you will be better prepared for the physical fitness program. This test will be administered to you on the entrance testing day of the academy. Failure to meet the entrance-level standards of physical fitness will prevent your admittance to the academy.

Upon successful completion of this test, you will begin a carefully-structured program that is designed to increase your performance to a level acceptable for certification at the completion of the academy. This program has been designed to measure your muscular and cardiovascular endurance, fitness and strength, and it is job-related.

Very truly yours,

Earl M. Sweeney
Director

EMS/nfo

PHYSICAL FITNESS EXAM

Preparing For The Physical Fitness Test

It must be emphasized that regardless of a person's level of fitness, a person should be in good health before beginning any physical training program. Preparation for the physical fitness test can be accomplished by a physical training program that emphasizes cardio-respiratory (heart/lung) fitness, strength, and muscular endurance and flexibility. It is especially important that small-framed individuals and individuals whose jobs do not require physical exertion prepare more conscientiously for the test. Generally, these individuals are not in as high a level of physical fitness, and have less strength, than more physically active people. However, most people can improve their level of physical fitness through an intensive training program that includes running for cardio-respiratory fitness, weight lifting to develop muscular strength, and stretching exercises to increase flexibility.

How To Evaluate Your Level Of Physical Fitness

From a training standpoint, you should gradually work up to the point where you can run 1.5 miles in 12 minutes or less to establish your cardio-respiratory fitness. Your strength should be gradually developed to where you can do 30 push-ups, and 40 sit-ups with comparative ease. This is about the minimum fitness level for a candidate to safely complete the physical fitness test. It must be emphasized that following the guidelines is no guarantee for passing the test. However, your chances for passing will be greatly increased if adequate preparatory physical training has taken place.

What Is Cardio-Respiratory Fitness?

Cardio-respiratory fitness is the ability of the heart to deliver oxygen to the muscles and other tissues. This is called "aerobic power." Simply stated, the ability to perform exercise and/or physical work is directly dependent upon how well the body delivers oxygen to the working muscles. A highly fit person will be able to deliver large amounts of oxygen to the muscles and, therefore, be capable of prolonged muscular exercise (for example, police work.) On the other hand, the out-of-shape individual will not be capable of delivering adequate amounts of oxygen to the muscles and, therefore, will fatigue quickly and be forced to stop working much sooner.

What About Muscular Strength?

Strength can be defined as the ability to apply force. Since nearly all movements are performed against some resistance, a certain degree of muscular strength is needed to perform any activity. A police officer performs activities against much greater resistance than the average individual. Therefore, the officer must have above-average muscular strength, endurance and power in order to effectively and safely handle any situation, at any given time, and perform all police related duties.

What About Flexibility?

Flexibility allows the individual to perform required moves without causing injury. Police work has many extremely vigorous activities and can be performed more safely if the person has good flexibility.

What About Body Fat?

An excess accumulation of body fat is undesirable for a variety of reasons. From a health standpoint, medical problems exist in which obesity or "overfatness" is considered a risk factor, and for which a reduction in excess fat is desirable. From a physical performance standpoint, excess fat is like carrying dead weight and can only hinder physical performance. Since police work, at times, requires a near maximal effort from the heart and other related tissues, additional fat weight adds an extra burden to the cardiovascular system and thus, the overfat police officer puts himself/herself in a potentially dangerous situation when doing police work.

THE PHYSICAL FITNESS TEST

Do not take the physical fitness test lightly. It is more difficult than it appears. Your chances for passing the test will be greatly increased if adequate preparatory training has been undertaken. Physical training should emphasize cardio-respiratory (heart/lung) fitness, strength and muscular endurance, and flexibility. Running, weight training, and stretching exercises are three of the best approaches.

Questions

If you have any questions about the physical training requirements, or the physical training program at the New Hampshire Police Academy, please contact this office and speak with our Physical Training Specialist at 271-2133.

NH POLICE STANDARDS & TRAINING FITNESS TESTING PROCEDURE

WE WILL REQUIRE CANDIDATES TO MEET AT LEAST THE 35th PERCENTILE NORMS UPON ENTRY (MEANING THEY ARE AS FIT AS AT LEAST THE LOWER 35th PERCENTILE OF THE POPULATION OF THAT GENDER AND AGE) AND UPON GRADUATION, TO HAVE PROGRESSED TO AT LEAST THE 50th PERCENTILE (I.E., BEING AS FIT AS HALF THE POPULATION OF THAT SEX AND AGE).

TEST BATTERY

The tests the Council has chosen from Dr. Cooper's battery are as follows. They will be administered by the Police Academy's fitness staff to each candidate upon entry.

Candidates must pass ALL 5 EVENTS in order to gain admission to the Academy.

I. One-Repetition Bench Press.

This is a test of adequate muscular strength, or the amount of tension a muscle can exhibit in one maximal contraction. Since the bench press goes through the full range of motion, it correlates well with total body strength criterion. The equipment required is either a barbell bench and a barbell set, or a Universal D.V.R., with adequate weight capacity. The person in charge estimates the weight that an individual can press in one maximum effort, by loading the weights to either about one-half the estimated maximum weight, or for males, two-thirds of their body weight; or for females, one-half of their body weight. The individual is then instructed to press this weight once, for an easy warm-up. The weight is then increased to the target weight. The person will attempt to lift the target weight once. The person will then be asked to lift weights one time in additional increments until they reach the maximum effort. The score is the maximum pounds lifted in one repetition. (If Universal equipment is used, record the numbers on the right.) Entry will be at the 35th and exit at the 50th percentile.

ONE-REPETITION BENCH PRESS

MALES		FEMALES
AGE	ENTRY	ENTRY
18-29	.96	.58
30-39	.86	.52
40-49	.78	.48
50-59	.70	.43
60+	.65	.41

(MULTIPLY X BODY WEIGHT)

2. Sit-and-Reach Test.

This event measures lower back and hamstring flexibility, and is included because of the widespread problems in today's society with low back pain and joint soreness that are related to sedentary lifestyles. It is also important for law enforcement officers in handcuffing and searching suspects. The test requires a box, and a yardstick with a 15" mark at the edge. The subject warms up slowly by practicing the test, sitting on the floor or mat with legs extended at right angles to a taped line on the box. The heels (shoeless) touch near the edge of the box, and are about 8" apart. The yardstick is placed between his/her legs and rests on the box, with the 15" mark on the edge of the box. The subject slowly reaches forward with both hands as far as possible, and holds the position momentarily. The distance reached on the yardstick by the fingertips in inches, in the best of three trials, is the flexibility score. Entry will be at the 35th and exit at the 50th percentile.

FLEXIBILITY TEST

MALES		FEMALES
AGE	ENTRY	ENTRY
18-29	16.0	19.0
30-39	15.0	17.8
40-49	14.0	17.0
50-59	12.5	16.0
60+	12.0	15.2

(INCHES SIT AND REACH)

3. Push-Ups.

These test muscular endurance, or the ability to contract the muscles repeatedly over a period of time, which indicates efficiency in movement and the capacity to do work. It focuses on the shoulder girdle (deltoids, pectorals, and triceps) that is important in defensive tactics, handcuffing, and rescue operations. Candidates must keep their legs and back straight and knees off the ground at all times and from the "up" position, lower themselves to the floor until their chest touches to within 3", then push to the "up" position again. The total number of push-ups with correct form are recorded as the score. **There is no time limit on this test.** Females are allowed to use the modified female push-up position (knees touching floor and feet crossed). Entry will be at the 35th and exit at the 50th percentile.

PUSH-UPS

MALES		FEMALES
AGE	ENTRY	ENTRY
18-29	27	22
30-39	21	17
40-49	16	11
50-59	11	10
60+	9	4

4. **Sit-Ups.**

This event measures the muscular endurance of the abdominal area, which is important in the prevention of injuries while doing police work. The candidate lies on his/her back, knees bent, heels flat on the floor, with a partner holding the feet down, then does as many sit-ups in correct form as possible in one minute. Starting in the "up" position, with hands cupped around the ears, candidates must touch their elbows to their knees, and both shoulders should touch the floor in the "down" position. If the hands come off the ears, the sit-up is not counted. The score is the number of correct sit-ups **in one minute**. Entry will be at the 35th and exit at the 50th percentile.

SIT-UPS

MALES		FEMALES
AGE	ENTRY	ENTRY
18-29	37	31
30-39	33	24
40-49	28	19
50-59	22	12
60+	18	5

(IN 60 SECONDS)

5. 1.5 mile timed run.

This is a test of the aerobic power that is so important to police officers when responding physically in an emergency situation. This test requires a nearly exhaustive effort, or at least at the level of the higher intensities at which the individual has been training. It takes place on an indoor or outdoor track (seventeen and one-fourth (17-1/4) laps of the PSTC indoor track, or 6 laps of a 440-yard track equal 1.5 miles) or other suitable, relatively level running area, and is measured with a stopwatch. Participants should not eat for at least two hours before the test. The individual should do some stretching and warm-up exercises prior to the test, and allow adequate time for cool-down by walking or jogging at a slow pace following the test. Candidates will enter the academy at the 35th and exit after 12 weeks at the 50th percentile.

1.5 MILE TIMED RUN

MALES		FEMALES
AGE	ENTRY	ENTRY
18-29	13:06	15:48
30-39	13:53	16:23
40-49	14:47	16:59
50-59	15:53	18:09
60+	16:58	18:54

GENERAL INFORMATION

The Academy will be conducted at the New Hampshire Police Academy, 17 Fan Road, Concord, New Hampshire. Recruits are to report to the Academy Commandant at 0730 hours. Please park in the rear of the building, last row - along the border of trees.

It is requested that the number of vehicles be kept to a minimum. Recruits are to double up whenever possible.

1. **Physical Fitness Testing** - No facial hair. Please show up in gym clothes such as shorts, tee-shirts or sweat pants or sweatshirts, depending on the weather. Testing should be completed by 1230 hours. Academy uniforms are issued to recruits after the physical fitness testing is successfully completed.
2. **FIRST DAY** of the Academy – Please show up for the first day of the Academy in the designated Academy uniform.
3. Recruits must comply with the Council's Rules and Regulations pertaining to shaves and haircuts.
 - a. **Male:** Hair will be worn short and off the ears and neck and well groomed. Sideburns shall be well trimmed and no longer than to the middle of the ear. No facial hair. No earrings, non-medical jewelry or any other body piercing jewelry.
 - Female:** The hair will be well-groomed and short in length or, if long, rolled up to be as short as possible and away from the face. No earrings, non-medical jewelry or any other body piercing jewelry. NO makeup is permitted.
4. All recruits are required to participate in a vigorous physical training program and must be certified physically fit for the regime by their department physician.
5. No absences will be permitted without permission from the Academy staff. In the event of an unauthorized absence, the recruit is subject to dismissal.
6. Classes will end as scheduled weekly. Recruits are required to return by 0800 of the following week as scheduled.
7. In case of emergencies, recruits may be contacted through Police Standards and Training Council at 271-2133.

SUPPLIES PROVIDED BY ACADEMY

8. Meals, quarters, linen, blankets and pillows will be provided.
9. Pencils and notebooks will be provided. Personal computers are allowed.

10. RECRUITS MUST BRING THE FOLLOWING:

WEEK #1

- a. Sweatshirts and /sweatpants (ash grey in color/no logos)
- b. Running shoes (no basketball or Cross Training)
- c. Gym shorts (navy blue)
- d. Athletic supporters (female protective bra)
- e. Protective mouth pieces
- f. Black military boots
- g. White athletic socks, & black or dark blue socks
- h. 1" or 1-1/2" black belt
- i. Rain coat
- j. Department jackets/coats
- k. Shaving gear
- l. If applicable - shower slippers, cap
- m. Soap
- n. Towels
- o. Shoe polish
- p. White crew neck T-shirts
with **1 ¾ BLOCK LETTERING STENCILED** with last
name centered on FRONT and REAR of shirt - 4"
from bottom of neck seam.
- q. Black/dark blue sweater
(military style **Fall/Winter Academy**)
- r. Black/dark blue wool knit watch or ski hat
(Fall/Winter Academy)
- s. Blousing bands
- t. Leather gear
- u. handcuffs with key)
- v. Typewriter or computer
**(LEAVE IN VEHICLE – DO NOT PACK IN
LUGGAGE OR DUFFLE BAG)**
- w. Alarm clock – **NO RADIO**
- x.. Optional - iron, small 8" or 10" fans

DO NOT BRING ANY OF THE FOLLOWING ITEMS:

- 11.
 - a. **Firearms**
 - b. **Ammunition, reloaders or magazines**
 - c. **Ballistic vest, eye or ear protection**
 - d. **OC Spray**
 - e. **Baton**

- v. * YOU ARE RESPONSIBLE FOR BRINGING YOUR SERVICE WEAPON.
- * IF YOUR SERVICE WEAPON IS A SEMI-AUTOMATIC, YOU ARE RESPONSIBLE FOR BRINGING 1,000 ROUNDS TO BE USED DURING THE FIREARMS PRACTICAL.
- * **PLEASE DO NOT BRING YOUR AMMO AND SERVICE WEAPON UNTIL THE ACADEMY STAFF REQUEST YOU DO SO.**

DRIVING WEEK – SURVIVAL WEEK - SIMUNITION WEEK

If you have attended a State or National Defensive Driving course, a copy of the card or certificate.

- a. Foul weather gear
- b. Sun Screen
- c. Service Weapon
- d. Eye protection
- e. Ear protection
- f. Extra warm clothes and boots
(Fall/Winter Academy)

FIREARMS WEEK

- a. Service weapon
- b. 1000 rounds of lead-free ammunition
- c. Eye and ear protection
- d. Ballistic vest

BATON and OTHER PRACTICALS

- a. old t-shirt
- b. old gym shorts
- c. old towels
- d. bar of ivory soap
- e. service weapon
- f. flashlight
- g. If you are First Aid/CPR Certified, a copy of the card or certificate.

**** PLEASE BRING ANY OTHER PERSONAL ITEMS IN SUFFICIENT QUANTITIES TO LAST THE WEEK AS THESE ITEMS CANNOT BE OBTAINED AT THE ACADEMY.**

OPTIONAL SUPPLIES:

Fan
Sewing kits
Portable iron
Portable typewriter/word processor/personal computer

PARKING

The first day of the academy, the recruits will park in the rear of the building and wait for further directions.

FIREARMS

No firearms, ammunition, or defensive spray is allowed to be in your possession. If you brought them with you, they should be secured in the trunk of your car under lock and key, or you may ask staff to secure them in the armory.

PROHIBITED ITEMS

You are not allowed to tape-record classes. You are to take written notes, only. No pagers. If there is an emergency, they will contact us. No cell phones. If you need to contact someone, inform staff. No food items or candy, gum, sports bars, drinks, food supplements, or magazines.

Facility Rules

THE FOLLOWING RULES SHALL BE OBSERVED BY ALL PERSONS ATTENDING PROGRAMS AT THE NEW HAMPSHIRE POLICE STANDARDS AND TRAINING FACILITY.

ACCESS AREAS

Guests or other students are **not permitted** in the area of the recruit academy living quarters. In-service students staying overnight are not allowed to have guests. **Students are not permitted in rooms of students of the opposite sex, and no romantic activity between students is permitted.**

ALARM SYSTEM

The intrusion alarm system will be turned on from 10:30 p.m. to 7:00 a.m. Overnight students must be back in the building by 10:30 p.m. or will not be readmitted. To leave in an emergency, contact an Academy staff member to disable the alarm system.

ALCOHOL/DRUGS

No person shall be allowed on the premises with the odor of alcoholic beverages on their breath, and possession or consumption of illegal drugs or of alcoholic beverages at the facility is prohibited, except for the controlled drinking demonstrations at Intoxilyzer schools. Violation of this rule will result in immediate dismissal.

ATTIRE

All persons attending programs at the facility shall attend classes dressed in one of the following acceptable attires:

Male Personnel:

1. Official department uniform; or
2. a suit or sports jacket with dress shirt and tie; or sports shirt and sweater; or
3. slacks with coordinated open-collar shirt

Female Personnel:

1. Official department uniform; or
2. a dress; or
3. skirt and blouse or sweater combination; or
4. slacks and coordinated blouse

Blue jeans, denims, dungarees, or sneakers are not to be worn during training sessions unless authorized by the class supervisor for a particular class. Casual attire is allowed after hours.

CARE OF BUILDING

This building is provided by the people of New Hampshire for our benefit. All students and visitors shall treat the building and furniture as you would your own home. Do not put your feet on the wall, lean your chairs back, sit on tables, or otherwise mistreat the facility. Dispose of trash in designated trash receptacles. Report any damage or non-working items to maintenance at once.

CONDUCT

While attending the facility, your conduct, both on and off the campus, reflects on the Training Council and your agency. Conduct unbecoming an officer will be dealt with accordingly. Students shall remain attentive during all class periods, and shall display proper respect and courtesy toward instructors, Council personnel, visitors and fellow students, and avoid using profanity, offensive terminology or gestures. Proper conduct is also required on the Technical Institute campus and on field trips.

CONVERSATIONS WITH RECRUITS

The Council's primary statutory mandate is recruit training. The recruit academy must take precedence over all other activity at the facility. Recruits undergo 12 weeks of strict paramilitary training and are forbidden to engage in conversation. If you speak to a recruit, you cause problems for the recruit as well as yourself. In-service students shall not engage recruits in unnecessary conversation, nor subject them to any harassment whatsoever.

FIREARMS

Firearms shall not be worn visibly in the facility or on campus, unless the student is wearing a distinguishable police uniform. Firearms shall not be stored in dormitory rooms, but shall be stored in the firearms storage room or locked in the truck of your vehicle. No horseplay or brandishing of any type of weapons is allowed at any time.

FOOD AND DRINK

Food and drink shall be consumed only in designated areas, and shall not be consumed or stored in dormitory rooms or brought into classrooms.

GAMBLING

Gambling in any form is prohibited.

HARASSMENT

No sexual harassment or intolerance shall be shown at any time to students, staff or visitors based on sex, age, religion or lifestyle preference.

HONOR CODE

All police and corrections officers are expected to abide by the Honor Code. Lying or cheating are strictly forbidden, and it is also an infraction to be aware of violations and not report them. Violators of the Honor Code face expulsion from class and possible decertification.

INFRACTIONS

Infractions of any of the foregoing rules may result in dismissal from the training program and/or subsequent Council programs, and an incident report may be sent to the student's agency. Any unwarranted damage to the facility or equipment, or failure to return Council property shall result in direct billing to the student, with a copy to the student's agency. Any criminal offenses committed on campus shall be referred to the local police department for prosecution, and to the Council for a decertification hearing.

LOUD NOISES/LANGUAGE

Persons using the facility shall not congregate, or engage in loud noises in the hallways or classrooms, use vulgar or unprofessional language, or otherwise improper behavior, and shall show courtesy to staff and other students at all times. Breaks shall be taken in the designated break areas.

LOUNGE

Students shall help to keep the lounge clean by disposing of their own garbage. Students shall be considerate of others by keeping the television and conversation levels down. The lounge shall be closed at 11:30 p.m.

NEW HAMPSHIRE TECHNICAL INSTITUTE CAMPUS

The cafeteria and some classrooms are located on the campus of the New Hampshire Technical Institute, and contact with civilian students and instructors is inevitable. Your conduct while on the Tech campus shall at all times be in accordance with the highest professional standards.

PARKING

Students and guests shall park their automobiles in the student parking area. Parking in restricted areas is prohibited. All vehicles shall be secured. Personal belongings and valuables shall not be left out in the open, but shall be secured in the trunk of your vehicle.

SMOKING

Students and guests shall not smoke or use tobacco in any form in the building. Recruits **ARE NOT** permitted to possess or use tobacco in any form at any time while on academy grounds during academy session

TELEPHONE CALLS

Coin-operated telephones are provided in the dormitory areas and classroom area, and are the only phones available for student use. Student messages shall be received by the Council office and posted on the bulletin board in the foyer, or on the video message board.

VISITORS

Visitors shall be allowed only with staff permission, and shall be restricted to public areas. Each student shall be responsible for their guests. No visitors are permitted after normal business hours. No children or animals are allowed without special permission.

Chapter 7 -- NH Police Part-Time Officer's Manual

Welcome

Dear Recruit Officer:

Congratulations! By choosing a law enforcement career, you have entered a field which many aspire to, but few achieve. The work is usually varied, exciting and challenging, but it also has its periods of monotony, unpleasantness and danger.

To prepare you for this career, state law requires that you successfully complete the NH Part-Time Officers' Training Academy. This 100-hour training program is held at regional facilities throughout the state.

Classroom work and practical exercises will teach you to read and interpret the law and court decisions, and investigate and prosecute complex cases. You will be given ten module exams and a Final Exam. You need to maintain a grade of 70% or better.

You will need to borrow a Criminal Code and Motor Vehicle Code, and study them in your spare time to familiarize yourself with these laws, as these are two subjects that will be taught at the Academy.

If you properly prepare yourself and your family, you will succeed at the Academy. We look forward to seeing you in a few weeks.

If you have any questions in advance of your attendance here, please call me. And, welcome to the fraternity of law enforcement, the most honorable profession in the world!

Very truly yours,

Thomas J. Walsh
Bureau Chief/Support Services

TJW/lla

Law Enforcement Code of Ethics

AS a law enforcement officer, my fundamental duty is to serve mankind, to safeguard lives and property; to protect the innocent against deception, the weak against oppression or intimidation, and the peaceful against violence or disorder; and to respect the Constitutional rights of all men to liberty, equality and justice.

I will keep my private life unsullied as an example to all, and will behave in a manner which does not bring discredit to me or to my agency. I will maintain courageous calm in the face of danger, scorn or ridicule, develop self-restraint, and be constantly mindful of the welfare of others. Honest in thought and deed in both my personal and official life, I will be exemplary in obeying the laws and the regulations of my department. Whatever I see or hear of a confidential nature or that is confided in me in my official capacity will be kept ever secret unless revelation is necessary in the performance of my duty.

I will never act officiously or permit personal feelings, prejudices, political beliefs, aspirations, animosities or friendships to influence my decisions. With no compromise for crime and with relentless prosecution of criminals, I will enforce the law courteously and appropriately without fear or favor, malice or ill will, never employing unnecessary force or violence and never accepting gratuities.

I recognize the badge of my office as a symbol of public faith, and I accept it as a public trust to be held as long as I am true to the ethics of the police service. I will never engage in acts of corruption or bribery, nor will I condone such acts by other police officers. I will cooperate with all legally authorized agencies and their representatives in the pursuit of justice.

I will constantly strive to achieve these objectives and ideals, dedicating myself before God to my chosen profession ... **LAW ENFORCEMENT.**

THE BADGE

A law enforcement officer's badge is a symbol of public faith. His complex and heavy responsibilities represent a public trust. Whenever an officer breaks this faith or violates this trust, the collective image of law enforcement suffers.

In recent years, law enforcement has made great progress. Equipment and facilities have improved. Significant and far reaching scientific advances have been made. However, all these achievements are meaningless unless every officer is morally committed to the ethics of professional police service.

Under prevailing conditions, this commitment requires perseverance of the highest order. Daily, in many areas, the law enforcement officer is the principal target of abuse from mobs and dissident groups. He is subjected to personal insults and physical attacks, and increasingly, he is falsely accused of brutality by persons who seek alibis and excuses for their criminal acts. Even so, his conduct must be above reproach. He must exercise self-restraint and remain calm and courageous, never deviating from this code of ethics.

There is no substitute for high principles. Where the ideals of justice are concerned, there can be no laxity. The ethics of an enforcement agency are no better than the ethics of its weakest officer. Honesty and integrity must ride in every cruiser, walk every beat, influence every command, and answer every roll call. Good ethics must be in evidence whenever and wherever duty calls, every minute of every day.

Compromise, personal feelings, animosities, and prejudices have no place in professional police service. Free handouts, cut-rate prices, gratuities, and preferential treatment are luxuries an officer cannot accept if he is to keep his professional dignity. These seemingly insignificant matters destroy an officer's objectivity and affect his official actions. All officers must strive to erase the ugly public image of the policeman without character. Absolute integrity is the only answer.

As we enter the New Year, let us make certain that the ethics which our work reflects, the ethics which we pledge to uphold, and the ethics in which we believe are one and the same--ethics of good police service.

FBI Law Enforcement Bulletin.

Receipt

**AFTER YOU READ
THE RULES AND REGULATIONS
AND UNDERSTAND THEM,**

**SIGN THIS FORM
AND SUBMIT TO THE COORDINATOR
OF THE SCHOOL ON THE FIRST DAY OF CLASS**

R & R 36

All recruits shall read these rules and regulations, and shall sign a form stating that they have read and understand all rules and regulations.

I HAVE READ ALL RULES AND REGULATIONS AND UNDERSTAND THEM.

PRINT YOUR COMPLETE NAME: _____

SIGN YOUR COMPLETE NAME: _____

DATE: _____ DEPARTMENT: _____

Police Academy Rules and Regulations

GENERAL ORDER: 12-96

SUBJECT: Police Training Academy
Regulations

CALEA STD. REF. _____

EFFECTIVE DATE: 10/1/76
Revised 4/89
Revised 8/12/96
Revised 1/24/01

APPROVED _____

A. DISCUSSION

- A1. This policy consists of the regulations adopted by the Director of the NH Police Standards & Training Council for the conduct of the NH Police Training Academy, and as applicable sets forth the proper conduct to be followed by Council employees, visiting staff members, instructors, and students at the Academy.
- A2. Violation of any of these policies shall be cause for disciplinary action, up to and including dismissals.
- A3. These rules apply to the New Hampshire Police Academy, and the New Hampshire Part-Time Officer Training Program, as applicable. Questions regarding specific rules should be directed to the Commandant or Program Coordinator.

B. GOALS AND OBJECTIVES

- B1. The goals and objectives of the NH Police Training Academy are to:
 - a. provide each recruit with structured training consisting of a curriculum approved by the NH Police Standards & Training Council for recruit officers, to prepare them for certification by the Council as full-time police officers;
 - b. measure the proficiency of each recruit in a variety of academic subjects, by requiring that each recruit maintain an academic average of 70% in weekly examinations, and to require dismissal or other sanctions in the case of a recruit who fails to maintain a passing average for three consecutive weeks, and to refuse to certify a recruit whose final average is less than 70%, or who fails to pass a mandatory course;
 - c. provide each recruit with the required number of hours of practical training and lecture in high-risk patrol tactics;
 - d. provide each recruit with the required number of hours of practical training and lecture in emergency driving, and require that each recruit, as a condition of certification, pass both written and practical examinations in this subject;
 - e. provide each recruit with the required number of hours of practical training and lecture in defensive tactics, handcuffing, searching, and other uses of force, (e.g.

- O.C., baton, etc.), and require that each recruit, as a condition of certification, demonstrate to the instructor an acceptable level of proficiency in these activities;
- f. provide each full-time recruit with firearms familiarization training which meets or exceeds Council standards in rule Pol 404.03 for annual firearms qualification, as a condition of certification;
 - g. provide each recruit with training in first aid, and in cardiopulmonary resuscitation (CPR);
 - h. provide each recruit with a lecture on physical fitness, and regularly scheduled physical fitness activity consisting of calisthenics, weight-training exercises, and running;
 - 1) The purpose of this is to determine that each recruit meets an acceptable minimum level of cardiovascular and muscular fitness and flexibility, demonstrates progress over the length of the Academy, and is encouraged to pursue a personal lifetime goal of a healthful diet and lifestyle.
 - 2) Each recruit shall satisfactorily pass the mandatory entrance physical fitness tests according to standards specified by the Council.
 - 3) Each recruit shall fully participate in daily physical fitness training at the direction of staff, unless temporarily excused due to injury or illness.
 - a) Fully participate is defined by the scheduled PT day-to-day roster provided by the staff.
 - 4) Each recruit shall satisfactorily pass the final physical fitness tests according to standards specified by the Council, as a condition of certification.
 - i. provide each recruit with an exposure to and appreciation of paramilitary discipline in a law enforcement agency, by:
 - 1) providing an atmosphere in which recruits learn how to march, execute simple commands such as right- and left-face, about-face, attention and at-ease, and render a hand salute;
 - 2) addressing superior officers with military protocol;
 - 3) showing proper respect for the flag;
 - 4) taking charge of a squad of officers;
 - 5) providing an understanding of the means by which discipline can contribute to unit pride, self-discipline, and an ability to set and exceed high personal standards.
 - 6) A merit/demerit system shall be used, and the Director or his/her designee may dismiss students who accumulate 25 demerits.
 - j. provide each recruit with training in Community Policing, and to integrate into every possible aspect of the recruit training program, an appreciation of the service role of the police and the public's expectation that a law enforcement officer

respect the rights of all individuals and display the qualities of courtesy, empathy and friendliness;

- k. monitor and control the hours of work time of each recruit, as defined by the federal Fair Labor Standards Act and the Garcia decision of the US Supreme Court, so that no recruit exceeds 43 hours a week of actual work time;
 - 1) Each class day shall include a break after each hour of instruction, wherever practical.
- l. provide a climate in which each recruit is challenged both academically and physically, but is also encouraged to pursue a law enforcement career. This climate shall be free of sexual and racial harassment, and staff shall provide appropriate role models of professional police officers by their honesty, proficiency, and level of language and behavior;
- m. instill in recruits a sense of how their performance and behavior are constantly subject to public scrutiny and affect the public perception of the police;
 - 1) To this end, recruits and staff shall demonstrate an awareness that they are located in the City of Concord and adjacent to the campus of the NH Community Technical Institute, and behave appropriately as good neighbors, with an awareness of how Police Training Academy activities can reflect favorably or unfavorably on the image of all police officers.

C. TRAINING ACADEMY ACADEMIC REQUIREMENTS

C1. General Requirements

During the duration of the Academy, students will be subjected to numerous examinations, plus a final written examination, to demonstrate their grasp of the academic subjects.

C2. Failure to Maintain Average

If a student fails to maintain a passing average of 70% or better overall for three consecutive modules, they can be dismissed from the Academy for academic reasons.

- a. Also, irrespective of their overall average, they are required to score at least 70% on all modules or retests. If the student fails to secure 70% or better on a retest, he/she will be required to attend that class at the next academy session and take the test again.

C3. Tips on Preparation for Examinations

- a. Taking notes in class. Students should not try to write down what the instructor says verbatim, but instead outline the major points.
 - 1) A major point can be recognized by:
 - a) instructor's voice inflection;

- b) material that is written on the blackboard or displayed on an overhead transparency;
 - c) information the instructor repeats or emphasizes.
- b. If there is an interactive handout in their notebook, or given out by the instructor, students should use it to assist them in taking notes.
- c. The section of the recruit manual pertaining to each academic subject should be read thoroughly, and students should make additional study notes on the main points in the manual.
- d. Students should read any supplemental books issued to them, such as the Motor Vehicle Code, Criminal Code, Attorney General's Law Enforcement Manual, Emergency Driving textbook, First Aid textbook, etc.
 - 1) Take notes on the major points.

C4. Use of Reviews:

- a. A list of review questions is included in the recruit manual after many sections to assist students in studying the materials in that section.
- b. Students should use these reviews to prepare for the examination.
- c. Although most of the questions on the examinations will be multiple choice or other objective types of questions such as true/false, the review questions are worded in such a way that a student who has mastered the material on the review should be able to pass the examination.
- d. **If a student has been excused from a class because of a court appearance or a family emergency, he/she will be required to attend the next Academy session, repeat the class and pass the test as well as the final exam, before being certified as a police officer.**
- e. Efforts will be made to group students to study with a partner, and ask each other questions when permitted to do so by staff.
 - 1) If anything is unclear to a student and a fellow student cannot be of assistance, they should not hesitate to seek out a staff member for individual student assistance.

D. RULES & REGULATIONS

D1. Applicability

These rules and regulations supersede all previous rules and regulations pertaining to the NH Police Training Academy.

D2. The Honor System:

- a. *HONOR* is the guiding principle of every endeavor involving the law enforcement profession.
- b. *INTEGRITY* is the accepted basic attitude of every POLICE OFFICER.
- c. Intentional dishonesty is inexcusable, and will not be tolerated.
- d. Consistent with the principles of *honesty and integrity*, therefore, it is assumed that at all times students' work and reports will be true and correct.
- e. All good citizens are expected to live up to honorable practices; that is particularly true of all police officers.
 - 1) Students are not to behave dishonorably themselves, or to tolerate, cover up for, or fail to report others who do.
 - 2) Any action or conduct contrary to those practices will be considered conduct which brings discredit on the Academy and the police profession, and may result in disciplinary action or dismissal.
 - 3) Also see Item E39 p.

D3. Demerit or Disciplinary Action:

- a. Any infraction of the rules, regulations or Standard Operating Procedures of the NH Police Training Academy by a student officer may be subject to demerit or disciplinary action administered by the staff.
- b. A demerit is a negative grade given to a student for an infraction. The demerit system is used by the Academy in order to affix a value to each default of performance or personal conduct.
 - 1) The system serves as a method of grading the student's ability to recognize and adhere to high standards and attention to detail.
 - 2) It is also used in making a final evaluation of each student.
- c. Demerits are given at the discretion of the staff, subject to the approval of the Commandant.
- d. Demerits may be worked off by accumulated merits at the discretion of the staff on a one for one basis.
- e. The Director may waive demerits for good cause.

f. Demerits:

<u>OFFENSE</u>	<u>DEMERITS</u>
1) Academy hats	
a) Dirty	3
b) Unserviceable	3
c) Improperly worn	1
d) Worn inside building	1
e) Not worn outside building	1
2) Haircut, shave	5
3) Shirt or jacket	
a) No name tag	3
b) Missing buttons	1
c) Unbuttoned	1
d) Hole(s)	3
e) Dirty	3
f) Not pressed	2
4) Trousers	
a) Dirty	3
b) Missing buttons	1
c) Pocket unbuttoned	1
d) Hole(s)	3
e) Not pressed	2
5) Footwear	
a) Unshined (or dull)	3
b) Muddy	3
c) Cracked, torn or holes	3
d) Worn-down heels	1
e) Need repair	1
6) Living Quarters	
a. Unsatisfactory	5
7) Miscellaneous	
a) AWOL	5
(To be determined by staff and Director)	
b) Insubordination	5
c) FFI (failure to follow instructions minor offense)	
(1) Not paying attention	3
(2) Conduct unbecoming	5
(3) Off limits	5
(4) Negative attitude	5
(5) Other	1-5

f. Merits:

1) Merits are given to a student for outstanding performance or outstanding personal conduct during the program.

2) Value of merits: MERITS

a)	Outstanding boots	3
b)	Outstanding appearance	5
c)	Outstanding living quarters	3
d)	Outstanding attitude (esprit de corps)	5
e)	Other	1-5

g. Disciplinary Actions: Academy staff can at their discretion issue push-ups or sit-ups in lieu of, or in addition to, demerits for violations of rules in accordance with this schedule.

<u>Week</u>	<u>Push-ups</u>	<u>Sit-ups</u>
1	15	15
2	20	20
3	25	25
4	30	30
5	35	35
6	40	40
7	45	45
8-12	50	50

Push-ups or sit-ups when administered will be in proper form and on a normal count. No more than 3 sets of push-ups or sit-ups will be required, with adequate recovery time between sets.

They may also issue a disciplinary action memorandum (DAM) which requires the student to explain the behavior and how they intend to correct it.

D4. Dismissal:

a. A student officer may be dismissed from the Academy by the Director of the NH Police Standards & Training Council, or his/her designee, for the following reasons:

- 1) Any flagrant infraction of the Academy rules, regulations or Standard Operating Procedures;
- 2) Accumulation of 25 demerits by a student officer;
- 3) Academic failure for three consecutive weeks;
 - a) Consistent inability to maintain a 70% average may warrant dismissal.
- 4) Inability, due to illness or injury, to physically meet the prerequisites for successful completion of the Academy;

- 5) Failure to put forth a full effort and fully participate in the scheduled day-to-day PT workout listed in the roster provided by the staff may warrant dismissal.
- 6) Inability, or unwillingness, to fully participate in the physical training program for a period totaling 10 days, over the course of an academy session.

D5. Prerequisite for Successful Completion:

- a. For a student to successfully complete the NH Police Training Academy, the following minimum requirements shall be met:
 - 1) Academic
 - a) A student shall achieve an academic average of 70% or better, plus a grade of 70% or better in all modules and the final exam. Failure to obtain 70% or better on the above-listed modules may result in the student retaking the failed module and examination at the next Academy.
 - 2) Physical Training
 - a) A student officer shall satisfactorily complete the final physical fitness test, as established by the NH Police Standards & Training Council.
 - 3) Firearms
 - a) A student officer shall satisfactorily complete the firearms program, as established by the NH Police Standards & Training Council.
 - 4) Driving
 - a) A student officer shall satisfactorily complete the driving program, as established by the NH Police Standards & Training Council.
- b. A student who fails to meet the above requirements shall not be certified as a police officer.
 - 1) A student enrolled in the basic academy program is expected to successfully complete all required hours in order to gain the basic certification.
- c. A student who fails academically may be required to satisfactorily complete the entire Academy. Re-entry into the Academy shall be subject to review by the Director.
- d. A student who fails to meet requirements in D5. a. 2), 3) or 4) shall be afforded one opportunity to satisfactorily complete them at a future time determined by the Director. The student shall have the responsibility to contact the academy when

he or she is ready to meet the requirement but not, sooner than 30 days or later than 60 days from graduation

- e. A student's employing agency shall be notified in writing, when a student fails any prerequisites.
- f. A student attending classes as a requirement of certification based on prior training and experience may be subject to "c" above, and with regard to any other modules failed, may be allowed to retake the examination and upon a failure of re-examination, to retake the modules once and satisfactorily complete the examinations, at the option of the Director.
 - 1) The Council may refuse to certify a student who fails the second time.

D6. Appeal:

- a. A student officer may appeal his/her dismissal from the Academy, in writing, to the Director, in accordance with the NH Police Standards & Training Council's Rules and Regulations.

D7. Absences/Tardiness:

- a. Only the Academy staff may excuse a student from any classes. If a student is excused, he/she will report that fact to the squad leader. Any classes missed must be made up at the next academy session, prior to certification being issued.
- b. Students are tardy if they are not in their proper place at an assembly or designated class session, according to the time listed on the schedule. If a student is tardy, the staff is authorized to use their discretion in correcting the situation. If the student is a repeater, his/her misconduct may be cause for dismissal.
 - 1) Also see Items D24 and D25.
- c. No student shall leave the Academy without first obtaining permission from a staff member.
 - 1) When a student leaves the Academy for any reason, a written communication signed by a superior officer from their respective agency, shall be presented to the Commandant indicating the reason(s) for the absence.
 - a) This may be presented either before or after the fact.
 - 2) When a student leaves the Academy, he/she shall complete their business and return without delay. As noted in D7 a., all missed classes must be made up at the next academy session.

D8. Agents and Salesmen:

- a. No agents, salesperson, or other personnel shall canvass, display or sell any product to students, and no student or staff member may act in any capacity as a representative of a business firm, without permission of the Director.

D9. Quiet Time:

- a. Students should be encouraged to use quiet time to study past assignments and classes, or prepare for examinations or classes scheduled for the following day, or for additional physical fitness exercise.
- b. Each student shall respect the rights of others to study. Playfulness, commotion, or prohibited conversation or other disruptive behavior may be cause for disciplinary action.
- c. Dormitory room doors shall be kept completely open while studying, and group studying may be allowed at the discretion of the staff.

D10. Courtesy:

- a. The military regulations governing honors, courtesies and the salute to the American flag and national anthem shall be utilized.
- b. A student shall display a respectful and courteous attitude towards all persons.
- c. Conversations with civilians or other personnel not directly connected with the Academy are prohibited, unless permitted by staff.
- d. Upon reporting to, or encountering for the first time in a given day, the Director, Assistant Director, or a recognizable or uniformed commissioned officer (Lieutenant or above) of the Council Training Staff or any law enforcement agency, the student shall render a hand salute. Upon the entry of such an official into the room, the class shall be called to attention. The class shall not be called to attention when engaged in physical training, physical tactics, a lecture, firearms training, or another learning exercise where an interruption would be caused thereby. Salutes will be rendered at other times as directed by the staff.
 - 1) Also see D39 a.
- e. In responding to questions from officers, instructors and civilians, the student shall use "Yes, Sir," or "No, Sir," or "Yes, Ma'am," or "No, Ma'am," as applicable.
 - 3) Also see D39 d.
- f. Upon encountering in the hallway, or elsewhere, a commissioned officer of the Council training staff, the recruit may pass, but shall say "Sir, good morning sir" or "Ma'am, good afternoon, ma'am," etc., as appropriate.
- g. When passing in the hallways, recruits shall not be required to halt for persons encountered, but shall square any corners and shall walk in an erect, military fashion with eyes straight ahead, head up, and shoulders squared.

D11. Equipment:

- a. All students shall be held responsible for the care of equipment, regardless of whether it is issued to an individual or provided for general use.
- b. No article of Academy equipment issued to a student, or property of any kind not belonging to a student, shall be removed from the Academy premises without the permission of the Academy staff.
- c. Students shall be subject to replacement cost for any equipment negligently or recklessly damaged, destroyed or lost.
- d. Theft of Academy property or that of any other person shall result in dismissal, and may also result in criminal prosecution.

D12. Examinations/Grades:

- a. Each student shall maintain a passing average. (See Rules and Regulations Item 5.)
- b. Written examinations shall be held as prescribed.
 - 1) All students shall be responsible for all subject matter presented at the Academy, whether in written, oral or practical form.
 - 2) Examinations shall be presented as modules.
 - a) Failure of a modular examination shall result in the student taking a re-test.
 - b) This re-test shall not affect the student's grade. However, on re-testing, a passing grade shall not expunge the failing grade. The failing grade shall be utilized in computing the student's overall average.
- c. Grades:
 - 1) Each examination shall be graded individually.
 - a) Each examination shall be graded by the number of modules given in that examination.
 - b) Example:

Module Search and Seizure	75
Module Laws of Arrest	90
Module Domestic Violence Dynamics	<u>73</u>
	237

3 modules - examination grade average is 79%
 - c) The final examination is a 70% minimum requirement certification exam, and as such is not considered in the computation of class ranking.

D13. Notebooks:

- a. Notebooks in the full-time Academy will be graded on a pass/fail basis and shall be required to be re-submitted as a condition of certification if unsatisfactory. A passing notebook is a requirement for certification.
- b. All students undergoing instruction at the Academy shall organize a permanent set of notes into a notebook or notebooks, according to subject/module.
- c. Handwritten notes shall be taken at all lectures and classroom sessions unless otherwise directed by the instructor, and placed in the appropriate section of the Academy notebook(s).
- d. Notebooks may be collected at a prescribed time for grading.
- e. Notebooks shall be subject to review at any time.
- f. Also see D42 a.

D14. Dining Hall:

- a. The dining hall etiquette of students shall be in accordance with the principles of approved Academy usage and custom.
- b. Loud and boisterous conduct shall not be tolerated.
- c. Utensils or food shall not be brought out of the dining hall, unless approved by staff on an individual basis.

D15. Use of Police Authority:

- a. No student, while attending the Academy, shall exercise any police power on Academy grounds, except in an emergency and under the supervision of superior officers.
- b. No firearms, ammunition, or other weapon shall be brought into the training facility, except at the direction of the staff.
 - 1) Also see D39 o.

D16. Rooms:

- a. Students shall be individually responsible for the cleanliness of their dormitory rooms on a daily basis.
 - 1) Demerits may be equally shared among the occupants of a dormitory room if, upon inspection, it is found to be dirty or in disarray.

- 2) Consistent failure to keep a clean room may result in dismissal.
- b. Students shall be assigned to cleaning details for the toilets, showers, floors, ashtrays and trash cans outside their dormitory rooms.
 - 1) Failure to perform satisfactorily on a cleaning detail may result in demerits or dismissal from the Academy.
- c. No personal gear shall be left unstored in rooms except for computers.
 - 1) All toiletries gear shall be put away out of sight.
 - 2) Towels and foot gear shall be arranged as directed.
- d. Bunks shall be made as instructed.
 - 1) Extra blankets shall be folded at the foot of the bunk or stored out of sight.
 - 2) All bunks in a room shall be consistent with one another.
- e. The contents of a dresser and closet shall be maintained as directed.
- f. Students shall not enter into another student's room or allow another student in their room without permission from staff.
- g. Under no circumstances shall a student be in another student's room or allow another student in their room after "lights out."
- h. Students shall not leave their respective rooms after "lights out" without staff permission.
 - 1) The only exceptions to this rule are:
 - a) to obtain a drink of water, or
 - b) to go to the latrine
 - 2) Students shall immediately return to their room at the completion of these exceptions.
- i. Any student not abiding by D16. f., g., and h., may be immediately dismissed.
- j. Any item not authorized or approved by staff in a recruit's room or on his/her person is considered to be contraband and subject to seizure and disciplinary action. Examples include, but are not limited to, candy, gum, any type of weapon or ammunition, extraneous study materials, tape recorders, tobacco products, prescription and non-prescription drugs, foodstuffs, etc.
- k. All desks shall be consistent with one another.

D17. Gambling:

- a. Gambling of any type is prohibited.

- b. This includes buying and selling chances of any type.

D18. Hazing or Horseplay:

- a. Hazing or horseplay, or failure to intervene and report same, is strictly prohibited at the Academy, and may result in immediate dismissal.

D19. Inspections:

- a. Inspections may be held daily as outlined in the Academy training schedule, and may be held at unscheduled times as well.
- b. Haircuts, shaves, shoes, brass, and general cleanliness shall meet with Academy staff approval, or demerits may be issued.
- c. Recruits are hereby placed on notice that rooms, belongings and mail are subject to inspection by staff at any time, and accordingly there is no expectation of privacy in such areas or items.

D20. Liquor and/or Drugs:

- a. The possession or drinking of alcoholic beverages or having the odor of alcoholic beverages on one's breath, or possession or taking of non-prescribed drugs or prescription drugs or potent medications not reported to, and approved by, staff is prohibited on the Academy premises.
- b. A member of the staff shall be notified in writing immediately if any student brings prescribed drugs to the Academy.
 - 1) Also see D39 m.
- c. Violation of this rule may result in dismissal.

D21. Visitors:

- a. Students shall not receive visitors unless approved by staff.
- b. Mail received at the Training Facility is opened and screened by the office or academy staff.

D22. Staff Quarters:

- a. Any staff area in the classroom is off limits to students.
- b. The staff living quarters in the dormitory area are off limits without permission of staff.

- c. Staff members are available to students at any reasonable time for any reason.

D23. Telephone Calls:

- a. Except in cases of emergency, no telephone calls shall be referred to a student during class sessions, or when it will interfere with the preparation for his/her classes.
 - 1) Also see D39 I.
- b. All personal telephone calls shall be transmitted and accepted through the public pay telephones.
- c. No telephone calls shall be made or accepted during study periods or after "lights out," unless in case of emergency or with staff permission.
- d. Personal telephone call privileges during the week shall be initiated by staff on a predetermined basis.
- e. No personal cell phones or pagers, or department cell phones or pagers, are allowed to be possessed by recruits.

D24. Daily Routine:

- a. A student shall be prompt in responding to all classes, assemblies, and other training programs.

D25. Classroom Conduct:

- a. Each student shall sit erect in class and be properly attired.
 - 1) In order to achieve uniformity of dress, proper attire shall be designated by staff.
- b. Each student shall be seated in his/her respective seat promptly at the commencement of the class period.
 - 1) The daily class schedule indicates the beginning and ending of the class periods.
- c. To secure the attention of the instructor, each student shall raise his/her hand.
 - 1) When recognized by the instructor, the student shall ask the question in a clear voice.
 - a) The student shall preface all questions, comments or remarks with either "Sir" or Ma'am," as applicable, or by rank or title of instructor.
 - (1) Also see D39 d.

- d. Classrooms shall be kept neat and orderly at all times.
 - 1) No food or drinks shall be brought to the student's desk without permission of the instructor.
- e. Smoking or use of any tobacco products by recruits is prohibited.
- f. A student shall be alert and attentive during class and breaks.

D26. Platoon and Squad Leaders:

- a. A student chain of command shall be established within the Academy by staff, to promote responsibility and leadership development.
- b. Assignments to command positions may be rotated frequently or reassigned as directed.
- c. Chain of command:
 - 1) Commandant
 - 2) Assistant Commandant
 - 3) Academy staff members
 - 4) Platoon leader
 - 5) Squad leader
- d. Duties and responsibilities:
 - 1) The platoon leader:
 - a) takes command in the absence of staff;
 - (1) Also see D39 a. 1)
 - b) forms and dismisses the platoon as directed by staff;
 - c) receives the report from the squad leaders;
 - d) maintains an accurate, up-to-date roster of absentees and reasons for absences;
 - e) ensures that the platoon reports to the duty location as scheduled;
 - f) ensures that classroom procedures are followed;
 - g) reports to the instructor to receive any other instructions;
 - h) ensures that students wear the prescribed duty uniform of the day and have all equipment and/or materials needed for classes;

- i) ensures discipline among the members of the platoon;
 - j) performs other duties as directed by staff.
- 2) The squad leader:
 - a) ensures discipline among the members of the squad;
 - b) ensures that all squad members are present and on time at required formations, and in proper uniform;
 - c) performs other duties as assigned by the staff or platoon leader.

D27. Class Uniforms:

- a. Uniforms issued by the Academy shall be worn by all students unless otherwise directed by staff.
- b. Shirts, if issued or worn, shall be kept buttoned except at the collar, and tucked into trousers.
- c. Students shall wear an Academy name tag on the upper right of the outer garment at all times.
- d. Recruits will return academy uniforms, linen, criminal code, motor vehicle, and AG's manuals at the end of the session.
- e. There shall be no alterations on uniforms without permission from staff.
- f. All issued uniforms and linens shall be turned in when the student terminates.
- g. Students not abiding by Rules D27 a. - f. may be subject to disciplinary action or dismissal.
- h. Students may be liable for the replacement cost of any uniform or equipment negligently or recklessly damaged, destroyed or lost, or any damage to Academy facilities or property.

D28. Appearance:

- a. Students shall comply with the Council's Rules and Regulations pertaining to shaves and haircuts.
- b. Male:
 - 1) Hair shall be worn short and off the ears and neck, and well-groomed.
 - 4) Sideburns shall be well-trimmed, and no longer than the middle of the ear.
 - 3) Beards and mustaches are prohibited.
- c. Female:

- 1) The hair shall be well groomed, and short in length; or if long, shall be rolled up to be as short as possible and out of the face. Hair is to be tucked under the uniform cap.
- di. Wearing of earrings and all body piercing jewelry are prohibited.
- e. Tattoos deemed offensive by staff shall be covered as directed by staff.

D29. Physical Fitness Program:

- a. All students shall fully participate and put forth a full effort in all physical fitness training, unless excused by a physician or a staff member.

D30. Firearms:

- a. No student shall have, in his/her possession or room, a firearm or ammunition, without authorization from Academy staff.

D31. Transportation:

- a. Students may be required to furnish their own transportation at their own expense on occasion while at the Police Training Academy, and shall carry adequate liability and property damage on their vehicles.
- b. Use of vehicles:
 - 1) Students shall observe and comply with all motor vehicle laws of the State of New Hampshire.
 - 2) Students shall observe and comply with all motor vehicle regulations set by the NH Police Standards & Training Council, the NH Community Technical Institute and other locations as designated.
- c. Students, while operating vehicles in the performance of Academy activities, shall operate said vehicles in a manner designated by the Police Training Academy staff or other assigned personnel.
- d. Seat belt use is mandatory for all students and staff while on Council business.

D32. Reporting Violations:

- a. Subject to penalty of dismissal, any student having knowledge of a rule violation or criminal offense committed by another student shall forthwith report same to the staff, and shall cooperate with any internal investigation of a rules violation by

answering fully, honestly and directly any questions about the situation, and by giving a written statement upon request.

- 1) Also see D38 a.
- b. Subject to penalty of dismissal, any student having knowledge of a rule violation or criminal offense committed by a staff member shall at the earliest opportunity report same to the Director or Assistant Director, and shall cooperate fully with any internal investigation by answering fully, honestly and directly any questions about the situation, and by giving a written statement upon request.
- c. Students shall submit to a polygraph examination narrowly and directly related to a disciplinary issue upon request of the Director or Assistant Director, subject to penalty of dismissal for refusing.
- d. Also see D41 a. and D42 b.

D33. Safety Rules:

- a. Students shall obey all safety rules in each program including, but not limited to, firearms and defensive tactics, and upon viewing any unsafe action by a student or staff member which may jeopardize any person, are expected to interrupt the activity and call the violation to the attention of the ranking staff members present at the time.

D34. Illness or Injury:

- a. Students shall verbally report, as soon as possible, to a Police Training Academy staff member, all illnesses and injuries occurring while attending the NH Police Training Academy.
- b. Ill or injured students shall complete the NH Police Training Academy's Accident/Illness Report form for any illness or accident which requires medical attention, immediately upon his/her return from a doctor or hospital visit.
 - 1) Employing agency shall be notified as soon as possible.

D35. Medical Attention:

- a. When a student requires medical attention for a non-emergency illness or injury, he/she shall immediately report to sick call at reveille.
- b. A Police Training Academy staff member may transport the student to a designated medical facility for treatment or, if necessary, may designate a person to transport the student.

D36. Chanting:

- a. Only approved chants may be used.

- 1) No chant shall contain any words which are potentially ethnically or sexually offensive, vulgar, or insulting to any person or group of people.
- b. Chanting shall be restricted to the Academy property and is prohibited on the grounds of the NH Community Technical Institute, except that one student may call cadence with approval of a staff member.
- c. Students shall be especially careful to avoid making unnecessary noise in proximity to student dormitories or classrooms at the Community Technical Institute, or thickly settled residential areas, as this can interfere with the rights of others to study or sleep.

D37. Physical Contact:

- a. No student may engage in non-training physical contact of any kind with any other person. Non-training physical contact is defined as kissing, touching, hand-holding, etc.

D38. Investigations:

- a. Any student asked for information by staff in the investigation of any type of incident, involving themselves or a fellow student, shall respond truthfully and completely as to any knowledge he/she has of the incident.

D39. Staff Policies:

- a. Recruits shall come to attention when any Academy staff member enters any dormitory room, classroom when class is not in session, and/or group gathering. However, while the class is in session, the platoon leader shall not interrupt the instructor by calling the class to attention.
 - 1) The recruit platoon leader is responsible for calling the platoon to attention in the classroom, or he/she may delegate a squad leader in his absence to assume the responsibility.
 - 2) Any recruit may call recruits to ATTENTION in all other situations or areas when an Academy staff member enters.
- b. While at the Police Training Academy, recruits shall stand at attention when addressed by an Academy staff member.
- c. While at the NHCTI cafeteria, recruits shall sit at attention when addressed by any Academy staff member.
- d. Recruits shall stand at attention when asking an Academy staff member a question. They shall say, "Sir, Recruit (name, agency Police Department), (asks question), Sir." Academy staff member answers the question. Recruit shall then say, "Sir, thank you, Sir." They shall sit back down or request permission to leave.

- e. Recruits shall act in an appropriate military manner during a class break and remain standing until the instructor tells them to be seated, or the recruit platoon leader gives the directive to sit down.
- f. Recruits shall arrive at the NH Police Training Academy no later than (NLT) 0715 hours each Monday morning. NLT 0730 hours, recruits shall be in an area designated by staff, in the proper uniform, for an inspection.
- g. Recruits' heads and eyes shall always remain to the front unless permission is granted by the Academy staff to do otherwise.
- h. Recruits shall *NOT* speak to anyone unless permission is granted by the Academy staff.
- i. Recruits shall "square all corners at all times at all locations," unless otherwise directed by staff, except as otherwise provided in these rules.
- j. Recruits shall ensure that their hands are in their "proper position" while marching and/or standing at attention.
- k. Recruits shall study *ONLY* at their desks. They shall *NOT* study in their bunks. Other study locations shall be determined by Academy staff.
- l. Recruits shall *NOT* be allowed to make unscheduled telephone calls unless there is an actual emergency. An Academy staff member shall determine if the emergency is actual. A time shall be assigned to accommodate regular routine use of the upstairs phone booths for outgoing calls.
- m. Recruits shall advise Academy staff of any physical or medical condition that they may have. A physician's signed statement shall be placed in the recruit's file.
- n. Class shall thank all instructors at the completion of their class. The class shall say, "Sir, thank you, Sir/Ma'am."
- o. No weapons or ammunition shall be brought into the Academy facility without express permission of the staff, and no loaded weapons carried, stored or displayed at any time except as directed by a firearms instructor.
- p. The class "Priority of Behavior" is *PRIDE, INTEGRITY and PROFESSIONALISM*.
- q. The following are not allowed, and are considered contraband:
 - (1) unauthorized pagers
 - (2) cell phones
 - (3) food
 - (4) candy
 - (5) gum
 - (6) drinks other than water
 - (7) non-medical jewelry
 - (8) sweat bands
 - (9) any tobacco products
 - (10) lighters
 - (11) clock radios
 - (12) computer game software
- r. Recruits will report, in writing, to the Academy Staff any drug(s), medication(s), vitamin(s) and/or food supplement(s) in their possession.

D40. Unauthorized Study Materials:

- a. No student shall be in possession at any time of any unauthorized study materials, including copies of tests from the Police Training Academy, the part-time officers' school, or any in-house school presented by another department or agency.
- b. If a student arrives at an Academy with such materials in his/her possession, they shall either lock them in their vehicle and take them home at the first opportunity, or turn them over to a staff member at once.
- c. The purpose of this rule is to provide each student with an equal chance academically, and to prevent any student from utilizing outdated materials, since the Academy makes every effort to constantly revise and update its study materials.

D41. Unauthorized Information:

- a. No student at any time shall request from any person, who has already taken an Academy test, any information as to the specific questions and answers on that test.

D42. Notes and Notebooks:

- a. In conformity with Academy rules, each student is required to take handwritten notes at all lectures and classroom sessions, unless otherwise directed by the instructor, and place them in the appropriate section of the Academy notebook, and keep his/her own permanent set of notes according to subject/module and place them in his/her notebook.
- b. It shall be a violation of Academy rules to possess, or place in one's own notebook, notes taken by another student at a previous Academy session, unless otherwise authorized by staff, such as when one student takes notes for another during an authorized absence.

Per Order: _____
Earl M. Sweeney, Director

PSTC RULES & REGULATIONS**Cheating****GENERAL ORDER:** 27-96**SUBJECT:** Cheating**CALEA STD. REF.** _____**EFFECTIVE DATE:** 10/12/96**APPROVED** _____**A. Cheating Prohibited**

1. RSA 188-f:26 authorizes the Council to prescribe training requirements for police, state corrections, and probation-parole officers. The validity of curriculum standards is compromised when students engage in unethical test preparation practices, record test questions, share test questions with other students, or otherwise engage in activities that give themselves or others an unfair advantage on examinations.
2. The purpose of test administration is to allow the Council to assess each student's mastery of required course materials. Such mastery cannot be objectively measured when students cheat.
3. For purposes of these rules, "cheating" is any attempt or act by a student to gain an unfair advantage, or to give an unfair advantage to another student or group of students, taking a test in a course offered by the Council. It includes, but is not limited to, the following prohibited acts:
 - a. Using any materials which would give an unfair advantage to oneself, or providing such materials to other students so they may gain an unfair advantage when preparing for or taking a test. Such materials may include, but are not limited to, personal notes in any form, presenter notes or lesson plans, or parts thereof, Council or presenter-issued printed material (handouts), graphics, and information recorded on audiotapes, videotapes or computer diskettes;
 - b. Using or possessing Council or presenter-developed test materials unless the student is in the process of taking a test or engaging in post-examination review of the test while under the supervision of an instructor or authorized test proctor;
 - c. Obtaining or attempting to obtain test materials or test information improperly from any source, including but not limited to, copying from another student, theft of test materials, receiving or coercing test answers from others, or unauthorized observation of tests;
 - d. Plagiarism;
 - e. Intentionally aiding, abetting or concealing an act of cheating, or failure to disclose to the instructor an act of cheating.
4. Cheating, as defined in (3) above, is prohibited in all Council courses.

B. Penalty for Cheating

1. A part-time basic or recruit-level student who cheats shall be subject to the following:
 - a. A mark of "zero" on the test; and
 - b. Withdrawal from the academy; and
 - c. Shall be ineligible to re-enroll in the academy for at least two years, and then only after a majority vote of the Council authorizing re-enrollment.

2. An in-service student who cheats shall be subject to the following:
 - a. A mark of "zero" on the test; and
 - b. Withdrawal from the course and referral of the case to the sending department; and
 - c. A hearing before the Council to determine if the incident constitutes egregious misconduct of the sort that warrants suspension or revocation of certification under rule Pol 402.02.

Per Order Of: _____
Earl M. Sweeney, Director

FACILITY RULES

Dear Student:

Enclosed in your packet you will find a copy of the PSTC facility rules which are binding on everyone attending the Council's schools and seminars. These rules also pertain to part-time academies held at various regional locations.

People are always eager to criticize those of us in the criminal justice profession, and the image of our profession and the Council's programs can easily be hurt by a student's single thoughtless act.

We are located adjacent to the campus of a civilian college, the Community Technical Institute, and visitors to our facility include news media, legislators, educators and citizens, any of whom may be present at any given time. Many of our regional academies are held on college campuses located at Keene State, Plymouth State, and UNH.

The Council's primary mandate is recruit training, and this has to take precedence over all our other activities. When recruits are in residence, reveille is at 0600 hours for them, and they are not allowed to engage in conversation with other students. They are required to observe "lights out" at 2200 hours. If in-service students choose to stay at the facility rather than make their own accommodations elsewhere, they will not be allowed to disrupt the recruit academy's routine.

Regional Academies hosted by Keene State College, Plymouth State College, and the University of NH provide many other opportunities for the law enforcement community to be closely scrutinized by the public. How well you represent your respective agencies and your profession will depend upon how you are perceived by those around you. Act professionally, and be courteous and respectful of those with whom you are sharing the campuses.

Please take a minute to review the rules, and help us to avoid problems which can adversely reflect on us all.

Yours in Law Enforcement,

Earl M. Sweeney
Director

Facility Rules

THE FOLLOWING RULES SHALL BE OBSERVED BY ALL PERSONS ATTENDING PROGRAMS AT THE NEW HAMPSHIRE POLICE STANDARDS AND TRAINING FACILITY.

ACCESS AREAS

Guests or other students are not permitted in the area of the recruit academy living quarters. In-service students staying overnight are not allowed to have guests. **Students are not permitted in rooms of students of the opposite sex, and no romantic activity between students is permitted.**

ALARM SYSTEM

The intrusion alarm system will be turned on from 10:30 p.m. to 7:00 a.m. Overnight students must be back in the building by 10:30 p.m. or will not be readmitted. To leave in an emergency, contact an Academy staff member to disable the alarm system.

ALCOHOL/DRUGS

No person shall be allowed on the premises with the odor of alcoholic beverages on their breath, and possession or consumption of illegal drugs or of alcoholic beverages at the facility is prohibited, except for the controlled drinking demonstrations at Intoxilyzer schools. Violation of this rule will result in immediate dismissal.

ATTIRE

All persons attending programs at the facility shall attend classes dressed in one of the following acceptable attires:

Male Personnel:

1. Official department uniform; or
2. a suit or sports jacket with dress shirt and tie; or sports shirt and sweater; or
3. slacks with coordinated open-collar shirt

Female Personnel:

1. Official department uniform; or
2. a dress; or
3. skirt and blouse or sweater combination; or
4. slacks and coordinated blouse

Blue jeans, denims, dungarees, or sneakers are not to be worn during training sessions unless authorized by the class supervisor for a particular class. Casual attire is allowed after hours.

CARE OF BUILDING

This building is provided by the people of New Hampshire for our benefit. All students and visitors shall treat the building and furniture as you would your own home. Do not put your feet on the wall, lean your chairs back, sit on tables, or otherwise mistreat the facility. Dispose of trash in designated trash receptacles. Report any damage or non-working items to maintenance at once.

CONDUCT

While attending the facility, your conduct, both on and off the campus, reflects on the Training Council and your agency. Conduct unbecoming an officer will be dealt with accordingly. Students shall remain attentive during all class periods, and shall display proper respect and courtesy toward instructors, Council personnel, visitors and fellow students, and avoid using profanity, offensive terminology or gestures. Proper conduct is also required on the Technical Institute campus and on field trips.

CONVERSATIONS WITH RECRUITS

The Council's primary statutory mandate is recruit training. The recruit academy must take precedence over all other activity at the facility. Recruits undergo 12 weeks of strict paramilitary training and are forbidden to engage in conversation. If you speak to a recruit, you cause problems for the recruit as well as yourself. In-service students shall not engage recruits in unnecessary conversation, nor subject them to any harassment whatsoever.

FIREARMS

Firearms shall not be worn visibly in the facility or on campus, unless the student is wearing a distinguishable police uniform. Firearms shall not be stored in dormitory rooms, but shall be stored in the firearms storage room or locked in the truck of your vehicle. No horseplay or brandishing of any type of weapons is allowed at any time.

FOOD AND DRINK

Food and drink shall be consumed only in designated areas, and shall not be consumed or stored in dormitory rooms or brought into classrooms.

GAMBLING

Gambling in any form is prohibited.

HARASSMENT

No sexual harassment or intolerance shall be shown at any time to students, staff or visitors based on sex, age, religion or lifestyle preference.

HONOR CODE

All police and corrections officers are expected to abide by the Honor Code. Lying or cheating are strictly forbidden, and it is also an infraction to be aware of violations and not report them. Violators of the Honor Code face expulsion from class and possible decertification.

INFRACTIONS

Infractions of any of the foregoing rules may result in dismissal from the training program and/or subsequent Council programs, and an incident report may be sent to the student's agency. Any unwarranted damage to the facility or equipment, or failure to return Council property shall result in direct billing to the student, with a copy to the student's agency. Any criminal offenses committed on campus shall be referred to the local police department for prosecution, and to the Council for a decertification hearing.

LOUD NOISES/LANGUAGE

Persons using the facility shall not congregate, or engage in loud noises in the hallways or classrooms, use vulgar or unprofessional language, or otherwise improper behavior, and shall show courtesy to staff and other students at all times. Breaks shall be taken in the designated break areas.

LOUNGE

Students shall help to keep the lounge clean by disposing of their own garbage. Students shall be considerate of others by keeping the television and conversation levels down. The lounge shall be closed at 11:30 p.m.

NEW HAMPSHIRE TECHNICAL INSTITUTE CAMPUS

The cafeteria and some classrooms are located on the campus of the New Hampshire Technical Institute, and contact with civilian students and instructors is inevitable. Your conduct while on the Tech campus shall at all times be in accordance with the highest professional standards.

PARKING

Students and guests shall park their automobiles in the student parking area. Parking in restricted areas is prohibited. All vehicles shall be secured. Personal belongings and valuables shall not be left out in the open, but shall be secured in the trunk of your vehicle.

SMOKING

Students and guests shall not smoke or use tobacco in any form in the building.

TELEPHONE CALLS

Coin-operated telephones are provided in the dormitory areas and classroom area, and are the only phones available for student use. Student messages shall be received by the Council office and posted on the bulletin board in the foyer, or on the video message board.

VISITORS

Visitors shall be allowed only with staff permission, and shall be restricted to public areas. Each student shall be responsible for their guests. No visitors are permitted after normal business hours. No children or animals are allowed without special permission.

Chapter 8 -- Corrections Academy Manual

Receipt

AFTER YOU READ
THE RULES AND REGULATIONS
AND UNDERSTAND THEM,

SIGN THIS FORM
AND SUBMIT TO THE COMMANDANT

All recruits shall read these rules and regulations, and shall sign this form stating that they have read and understand all rules and regulations.

I HAVE READ ALL RULES AND REGULATIONS AND UNDERSTAND THEM.

Signature: _____

Print your complete name: _____

Date: _____ Department: _____

Welcome

Dear Recruit:

Congratulations! By choosing a criminal justice career, you have entered a field which many aspire to, but few achieve. The work is usually varied, exciting and challenging, but it also has its periods of monotony, unpleasantness and danger. Corrections is currently the fastest-growing segment of the Criminal Justice System.

To prepare you for this career, state law requires that you successfully complete the NH Corrections Academy. This 8-week non-residential training program is held at the NH Police Training Facility in Concord, and is conducted by the New Hampshire Police Standards and Training Council under conditions of some paramilitary discipline. It is deliberately designed to place you under some stress. If you properly prepare yourself for this experience, you will succeed. This letter will tell you about the Academy, and give you some tips on how to adapt to its regimented environment.

Most corrections academies have some military atmosphere. Correctional facilities demand this. Corrections operates under a paramilitary structure, and to succeed and advance through the ranks, one must learn to both give and take orders. In times of riots and escapes, officers and civilian employees alike must function as a coordinated unit. A small, well-disciplined cadre exhibiting professional bearing can often control a much larger group without resorting to force.

When encountering disturbances, fights, and crimes against other inmates, you may find yourself forced to take charge, with no backup assistance available. Academy discipline forces you to be self-reliant and keeps you from overreacting to situations.

Law enforcement is dangerous work. Many corrections officers are assaulted and some die each year. An analysis of these incidents shows that corrections personnel who remain clearheaded, don't succumb to fear or anger despite intense provocation, and who display an indomitable will to win, are the ones who survive. When an Academy staff member shouts at you, disciplines you, or makes maximum demands of you, he or she is helping you to learn your limits and be able to withstand fear and danger in the real world. The convict who lifts weights at the State Prison for 5 years and eats a controlled diet, and now confronts you in peak physical condition, will be far less polite to you than our staff members. The stress of law enforcement can also have a long-term debilitating effect on you. At the Academy, you will learn how you react under stress, and develop lifelong coping mechanisms.

Academics are important, too. Classroom work and practical exercises will teach you to read and interpret the law and court decisions, and to follow PPD's. You will be tested each week, and can be dismissed if you fail to maintain a passing average two weeks in a row, or fail to finish with a grade of 70% or better. In 8 weeks, you will receive the equivalent of a half year in college, only because of the highly structured environment of the Academy. You will also qualify for credits toward a Criminal Justice degree at the NH Community Technical Institute and several other New Hampshire colleges.

WHAT TO EXPECT

Before starting the Academy, it is mandatory to pass all the physical ability tests: the 1-1/2 mile run, push-ups, sit-ups, bench press, and flexibility test. Periodically throughout the Academy, a similar but more demanding test will be required of you.

You will receive your uniforms and books prior to the start of the Academy, and be assigned to a squad. You will stand at attention, march or double-time everywhere you go, and learn how to salute and address superior officers. There will be no non-emergency communications with the outside world during the day.

If you make a mistake, you will be assigned discipline, or the whole class may be disciplined for the errors of a fellow officer. The staff may shout at you to see if you can tolerate stress, or will succumb to anger or fear. You may be tempted to quit, but if you persevere, you will be better prepared for the next 20 years in a stressful profession.

As the days and weeks fly by, you and your classmates will develop a team spirit. When you graduate, you will know the sense of pride that comes from accomplishing things you never thought yourself capable of, and you will feel more confident and capable of handling the future challenges of the corrections profession.

HOW TO PREPARE

Use the remaining time between now and the day you report to the Academy to prepare yourself, physically and mentally.

Spend quality time with your family and loved ones. Show them this letter and discuss it with them. Remember, they will be deprived of your attention for two months, except for all-too-short weekends. Discuss what lies ahead for both them and you, and tell them of your love for them, and your determination to succeed, and make them proud of you. Do at least an hour of vigorous physical exercise daily, concentrating on push-ups, sit-ups and running. Work to exceed the Academy entrance requirements, because you will need to improve each week and pass a final test at the end of the 8 weeks.

Remember, push-ups don't count unless done in the proper form, with elbows and knees locked, head up and back straight. Buy a pair of quality running shoes and some good running socks, and practice running on paved surfaces to toughen yourself against shin-splints.

If you have no military experience, ask a friend who has, to show you how to march, square corners, stand at attention, and salute. Practice these moves around your home until you do them well.

You will fire hundreds of rounds of ammunition at the Academy. If your grip strength is weak, practice squeezing a tennis ball several minutes each day to strengthen your grip.

Remember that no matter how tough or callous they seem, the Academy staff and this agency have only one purpose in mind -- to turn you into the best possible corrections employee. If you properly prepare yourself and your family, you will succeed at the Academy. We look forward to seeing you next week.

If you have any questions in advance of your attendance here, please call me. And, welcome to the fraternity of law enforcement, the most honorable profession in the world.

Very truly yours,

Earl M. Sweeney
Director

PHYSICAL FITNESS EXAM

Preparing For The Physical Fitness Test

It must be emphasized that regardless of a person's level of fitness, a person should be in good health before beginning any physical training program. Preparation for the physical fitness test can be accomplished by a physical training program that emphasizes cardio-respiratory (heart/lung) fitness, strength, and muscular endurance and flexibility. It is especially important that small-framed individuals and individuals whose jobs do not require physical exertion prepare more conscientiously for the test. Generally, these individuals are not in as high a level of physical fitness and have less strength than more physically active people. However, most people can improve their level of physical fitness through an intensive training program that includes running for cardio-respiratory fitness, weight lifting to develop muscular strength, and stretching exercises to increase flexibility.

How To Evaluate Your Level Of Physical Fitness

From a training standpoint, you should gradually work up to the point where you can run 1.5 miles in 12 minutes or less to establish your cardio-respiratory fitness. Your strength should be gradually developed to where you can do 30 push-ups, and 40 sit-ups with comparative ease. This is about the minimum fitness level for a candidate to safely complete the physical fitness test. It must be emphasized that following the guidelines is no guarantee for passing the test. However, your chances for passing will be greatly increased if adequate preparatory physical training has taken place.

What Is Cardio-Respiratory Fitness?

Cardio-respiratory fitness is the ability of the heart to deliver oxygen to the muscles and other tissues. This is called "aerobic power." Simply stated, the ability to perform exercise and/or physical work is directly dependent upon how well the body delivers oxygen to the working muscles. A highly fit person will be able to deliver large amounts of oxygen to the muscles and, therefore, be capable of prolonged muscular exercise. On the other hand, the out-of-shape individual will not be capable of delivering adequate amounts of oxygen to the muscles and, therefore, will fatigue quickly and be forced to stop working much sooner.

What About Muscular Strength?

Strength can be defined as the ability to apply force. Since nearly all movements are performed against some resistance, a certain degree of muscular strength is needed to perform any activity. A corrections officer performs activities against much greater resistance than the average individual. Therefore, the officer must have above-average muscular strength, endurance and power in order to effectively and safely handle any situation at any given time, and perform all security-related duties.

What About Flexibility?

Flexibility allows the individual to perform required moves without causing injury. Corrections work has many extremely vigorous activities and can be performed more safely if the person has good flexibility.

What About Body Fat?

An excess accumulation of body fat is undesirable for a variety of reasons. From a health standpoint, medical problems exist in which obesity or "overfatness" is considered a risk factor, and for which a reduction in excess fat is desirable. From a physical performance standpoint, excess fat is like carrying dead weight and can only hinder physical performance. Since corrections work, at times, requires a near maximal effort from the heart and other related tissues, additional fat weight adds an extra burden to the cardiovascular system and thus, the overfat employee puts himself/herself in a potentially dangerous situation when doing his/her job.

THE PHYSICAL FITNESS TEST

Do not take the physical fitness test lightly. It is more difficult than it appears. Your chances for passing the test will be greatly increased if adequate preparatory training has been undertaken. Physical training should emphasize cardio-respiratory (heart/lung) fitness, strength and muscular endurance, and flexibility. Running, weight training, and stretching exercises are three of the best approaches.

Questions

If you have any questions about the physical training requirements, or the physical training program at the New Hampshire Corrections Academy, please contact this office and speak with our Physical Training Specialist at 271-2133.

FITNESS TESTING PROCEDURE

WE WILL REQUIRE CANDIDATES TO MEET AT LEAST THE 35TH PERCENTILE NORMS UPON ENTRY (MEANING THEY ARE AS FIT AS AT LEAST THE LOWER 35TH PERCENTILE OF THE POPULATION OF THAT SEX AND AGE) AND UPON GRADUATION, TO HAVE PROGRESSED TO AT LEAST THE 45TH PERCENTILE (I. E., BE AS FIT AS ABOUT HALF THE POPULATION OF THAT SEX AND AGE).

TEST BATTERY

The tests the Council has chosen from Dr. Cooper's battery are as follows. They will be administered by the Corrections Academy's fitness staff to each candidate upon entry. Candidates must pass all of the events in order to gain admission to the Academy.

- I. **1.5 mile timed run.** This is a test of the aerobic power that is so important when responding physically in an emergency situation. This test requires a nearly exhaustive effort, or at least at the level of the higher intensities at which the individual has been training. It takes place on an indoor or outdoor track (six laps of a 440-yard track is 1.5 miles) or other suitable, relatively level running area, and is measured with a stopwatch. Participants should not eat for at least two hours before the test. The individual should do some stretching and warm-up exercises prior to the test, and allow adequate time for cool-down by walking or jogging at a slow pace following the test. Candidates will enter the academy at the 35th and exit after 8 weeks at the 45th percentile.
- II. **One-Repetition Bench Press.** This is a test of adequate muscular strength, or the amount of tension a muscle can exhibit in one maximal contraction. Since the bench press goes through the full range of motion, it correlates well with total body strength criterion. The equipment required is either a barbell bench and a barbell set, or a Universal D.V.R., with adequate weight capacity. The person in charge estimates the weight that an individual can press in one maximum effort, by loading the weights to either about one-half the estimated maximum weight, or for males, two-thirds of their body weight; or for females, one-half of their body weight. The individual is then instructed to press this weight once, for an easy warm-up. You then increase the loading by increments of ten pounds or more (five pounds or more as the individual gets closer to his/her maximum). Tell the person to lift each individual weight once, then load the next increment. The first three or four reps serve as warm-up lifts to prevent muscle injury and prepare the candidate for a maximal lift on the fifth and sixth efforts. The score is the maximum pounds lifted in one repetition. (If Universal equipment is used, record the numbers on the right.) Entry will be at the 35th and exit at the 45th percentile.
- III. **Push-Ups.** These test muscular endurance, or the ability to contract the muscles repeatedly over a period of time, which indicates efficiency in movement and the capacity to do work. It focuses on the shoulder girdle (deltoids, pectorals, triceps) which is impor-

tant in defensive tactics, handcuffing, and rescue operations. Candidates must keep their legs and back straight and knees off the ground at all times, and from the "up" position, lower themselves to the floor until their chest touches to within 3", then push to the "up" position again. The total number of push-ups with correct form are recorded as the score. Females are allowed to use the modified female push-up position. Entry will be at the 35th and exit at the 45th percentile.

- IV. **Sit-Ups**. This event measures the muscular endurance of the abdominal area, which is important in the prevention of injuries while working. The candidate lies on his/her back, knees bent, heels flat on the floor, with a partner holding the feet down, then does as many sit-ups in correct form as possible in one minute. The candidate's fingers will be placed behind the ears in a "cupping fashion." In the "up" position, candidates must touch their elbows to the top of their knees, and both shoulders should touch the floor in the "down" position. The score is the number of correct sit-ups in one minute. Entry will be at the 35th and exit at the 45th percentile.
- V. **Sit-and-Reach Test**. This event measures flexibility, and is included because of the widespread problems in today's society with low back pain and joint soreness that are related to sedentary lifestyles. It is also important for law enforcement officers in handcuffing and searching inmates. The trunk flexion test measures hip and back flexibility as demonstrated by the elasticity of the muscles of the back of the legs and trunk. The test requires a box, and a yardstick with a 15" mark at the edge. The subject warms up slowly by practicing the test, sitting on the floor or mat with legs extended at right angles to a taped line on the box. The heels touch near the edge of the box, and are about 8" apart. The yardstick is placed between his/her legs and rests on the box, with the 15" mark on the edge of the box. The subject slowly reaches forward with both hands as far as possible, and holds the position momentarily. The distance reached on the yardstick by the fingertips in inches, in the best of three trials, is the flexibility score. Entry will be at the 35th and exit at the 45th percentile.

1.5 MILE TIMED RUN

MALES		FEMALES
AGE	ENTRY	ENTRY
18-29	13:06	15:48
30-39	13:53	16:23
40-49	14:47	16:59
50-59	15:53	18:09
60+	16:58	18:54

PUSH-UPS

MALES		FEMALES
AGE	ENTRY	ENTRY
18-29	27	22
30-39	21	17
40-49	16	11
50-59	11	10
60+	9	4

SIT-UPS

MALES		FEMALES
AGE	ENTRY	ENTRY
18-29	37	31
30-39	33	24
40-49	28	19
50-59	22	12
60+	18	5

(IN 60 SECONDS)

ONE-REPETITION BENCH PRESS

MALES		FEMALES
AGE	ENTRY	ENTRY
18-29	.96	.58
30-39	.86	.52
40-49	.78	.48
50-59	.70	.43
60+	.65	.41

(MULTIPLY X BODY WEIGHT)

FLEXIBILITY TEST

MALES		FEMALES
AGE	ENTRY	ENTRY
18-29	16.0	19.0
30-39	15.0	17.8
40-49	14.0	17.0
50-59	12.5	16.0
60+	12.0	15.2

(INCHES SIT AND REACH)

NEW HAMPSHIRE POLICE STANDARDS AND TRAINING COUNCIL

CORRECTIONS ACADEMY

GENERAL INFORMATION

The Academy will be conducted at the New Hampshire Police Training Facility, 17 Fan Road, Concord, New Hampshire. Recruits are to report to the Academy Commandant at 0700 hours. Please park in the front of the building, to the rear of the lot.

It is requested that the number of vehicles be kept to a minimum. Recruits are to double up whenever possible.

1. Physical Fitness Testing - Please show up in gym clothes such as shorts, tee-shirts, sweatpants or sweatshirts, depending on the weather.
2. FIRST DAY of the Academy - Please show up in Academy uniform.
3. Recruits must comply with the Council's Rules and Regulations pertaining to shaves, haircuts, and jewelry. **No earrings or body-piercing jewelry are allowed** -- and no make-up (lipstick etc.).
4. All recruits are required to participate in a vigorous physical training program and must be certified physically fit for the regime by their department physician. Civilian employees are encouraged to participate up to their ability.
5. No absences will be permitted without permission from the Academy staff. In the event of an unauthorized absence, the recruit is subject to dismissal.
6. Classes will end between 1500 and 1600 on Fridays. Recruits are required to return by 0700 hours on Monday.
7. In case of emergencies, recruits may be contacted through Police Standards and Training Council at 271-2133.

Supplies Provided By Academy

8. Meals will be provided.
9. Notebooks will be provided. Tape recorders are not allowed.

Recruits MUST bring the following:WEEK #1

- a. Sweatshirts/sweatpants (black or navy blue)
- b. Running shoes
- c. Gym shorts (black or navy blue), white T-shirts
- d. Athletic supporters (female protective bra)
- e. Protective mouth pieces

- f. Black military boots, black shoes, or black sneakers that can be polished
- g. Black or dark blue socks
- h. 1" or 1½" black belt
- i. Department jacket/coats
- j. If applicable - shower slippers, cap
- k. Soap
- l. Towels
- m. Black/dark blue sweater (military style Winter Academy)
- n. Black/dark blue wool knit watch or ski hat (Winter Academy)
- o. Padlock for locker

PARKING

The first day of the Academy, the recruits will park in the front of the building, and to the rear of the parking lot, and report to Lecture Hall #1.

FIREARMS

No firearms, ammunition, or defensive spray is allowed to be in your possession. If you brought them with you, they should be secured in the trunk of your car under lock and key, or you may ask staff to secure them in the armory.

TAPE RECORDERS

You are not allowed to tape-record classes. You are to take written notes, only.

MEDICATIONS

All medications are to be reported to the Staff, with your name clearly marked on the container, and if it is a prescription, it must be in the original prescription container.

Dear Student:

Enclosed in your packet you will find a copy of the facility rules, which are binding on everyone attending the Council's schools and seminars.

People are always eager to criticize those of us in the criminal justice profession, and the image of our profession and the Council's programs can easily be hurt by a student's single thoughtless act.

We are located adjacent to the campus of a civilian college, the Community Technical Institute, and visitors to our facility include news media, legislators, educators and citizens, any of whom may be present at any given time.

The Council's primary mandate is recruit training, and this has to take precedence over all our other activities. When Police Academy recruits are in residence, reveille is at 0600 hours for them, and they are not allowed to engage in conversation with other students. They are required to observe "lights out" at 2200 hours. If in-service students choose to stay at the facility rather than make their own accommodations elsewhere, they will not be allowed to disrupt the Police Academy's routine.

Please take a minute to review the rules, and help us to avoid problems which can adversely reflect on us all.

Yours in Law Enforcement,

Earl M. Sweeney
Director

Facility Rules

THE FOLLOWING RULES SHALL BE OBSERVED BY ALL PERSONS ATTENDING PROGRAMS AT THE NEW HAMPSHIRE POLICE STANDARDS AND TRAINING FACILITY.

ACCESS AREAS

Guests or other students are not permitted in the area of the recruit academy living quarters. In-service students staying overnight are not allowed to have guests. **Students are not permitted in rooms of students of the opposite sex, and no romantic activity between students is permitted.**

ALARM SYSTEM

The intrusion alarm system will be turned on from 10:30 p.m. to 7:00 a.m. Overnight students must be back in the building by 10:30 p.m. or will not be readmitted. To leave in an emergency, contact an Academy staff member to disable the alarm system.

ALCOHOL/DRUGS

No person shall be allowed on the premises with the odor of alcoholic beverages on their breath, and possession or consumption of illegal drugs or of alcoholic beverages at the facility is prohibited, except for the controlled drinking demonstrations at Intoxilyzer schools. Violation of this rule will result in immediate dismissal.

ATTIRE

All persons attending programs at the facility shall attend classes dressed in one of the following acceptable attires:

Male Personnel:

1. Official department uniform; or
2. a suit or sports jacket with dress shirt and tie; or sports shirt and sweater; or
3. slacks with coordinated open-collar shirt

Female Personnel:

1. Official department uniform; or
2. a dress; or
3. skirt and blouse or sweater combination; or
4. slacks and coordinated blouse

Blue jeans, denims, dungarees, or sneakers are not to be worn during training sessions unless authorized by the class supervisor for a particular class. Casual attire is allowed after hours.

CARE OF BUILDING

This building is provided by the people of New Hampshire for our benefit. All students and visitors shall treat the building and furniture as you would your own home. Do not put your feet on the wall, lean your chairs back, sit on tables, or otherwise mistreat the facility. Dispose of trash in designated trash receptacles. Report any damage or non-working items to maintenance at once.

CONDUCT

While attending the facility, your conduct, both on and off the campus, reflects on the Training Council and your agency. Conduct unbecoming an officer will be dealt with accordingly. Students shall remain attentive during all class periods, and shall display proper respect and courtesy toward instructors, Council personnel, visitors and fellow students, and avoid using profanity, offensive terminology or gestures. Proper conduct is also required on the Technical Institute campus and on field trips.

CONVERSATIONS WITH RECRUITS

The Council's primary statutory mandate is recruit training. The recruit academy must take precedence over all other activity at the facility. Recruits undergo 12 weeks of strict paramilitary training and are forbidden to engage in conversation. If you speak to a recruit, you cause problems for the recruit as well as yourself. In-service students shall not engage recruits in unnecessary conversation, nor subject them to any harassment whatsoever.

FIREARMS

Firearms shall not be worn visibly in the facility or on campus, unless the student is wearing a distinguishable police uniform. Firearms shall not be stored in dormitory rooms, but shall be stored in the firearms storage room or locked in the truck of your vehicle. No horseplay or brandishing of any type of weapons is allowed at any time.

FOOD AND DRINK

Food and drink shall be consumed only in designated areas, and shall not be consumed or stored in dormitory rooms or brought into classrooms.

GAMBLING

Gambling in any form is prohibited.

HARASSMENT

No sexual harassment or intolerance shall be shown at any time to students, staff or visitors based on sex, age, religion or lifestyle preference.

HONOR CODE

All police and corrections officers are expected to abide by the Honor Code. Lying or cheating are strictly forbidden, and it is also an infraction to be aware of violations and not report them. Violators of the Honor Code face expulsion from class and possible decertification.

INFRACTIONS

Infractions of any of the foregoing rules may result in dismissal from the training program and/or subsequent Council programs, and an incident report may be sent to the student's agency. Any unwarranted damage to the facility or equipment, or failure to return Council property shall result in direct billing to the student, with a copy to the student's agency. Any criminal offenses committed on campus shall be referred to the local police department for prosecution, and to the Council for a decertification hearing.

LOUD NOISES/LANGUAGE

Persons using the facility shall not congregate, or engage in loud noises in the hallways or classrooms, use vulgar or unprofessional language, or otherwise improper behavior, and shall show courtesy to staff and other students at all times. Breaks shall be taken in the designated break areas.

LOUNGE

Students shall help to keep the lounge clean by disposing of their own garbage. Students shall be considerate of others by keeping the television and conversation levels down. The lounge shall be closed at 11:30 p.m.

NEW HAMPSHIRE TECHNICAL INSTITUTE CAMPUS

The cafeteria and some classrooms are located on the campus of the New Hampshire Technical Institute, and contact with civilian students and instructors is inevitable. Your conduct while on the Tech campus shall at all times be in accordance with the highest professional standards.

PARKING

Students and guests shall park their automobiles in the student parking area. Parking in restricted areas is prohibited. All vehicles shall be secured. Personal belongings and valuables shall not be left out in the open, but shall be secured in the trunk of your vehicle.

SMOKING

Students and guests shall not smoke or use tobacco in any form in the building.

TELEPHONE CALLS

Coin-operated telephones are provided in the dormitory areas and classroom area, and are the only phones available for student use. Student messages shall be received by the Council office and posted on the bulletin board in the foyer, or on the video message board.

VISITORS

Visitors shall be allowed only with staff permission, and shall be restricted to public areas. Each student shall be responsible for their guests. No visitors are permitted after normal business hours. No children or animals are allowed without special permission.

RULES & REGULATIONS

NOTICE

It is the intention of the NH Police Standards & Training Council to maintain a training atmosphere that is free from sexual, religious, ethnic or racial harassment.

If at any time you feel that this intent has been violated by something that has been said or done, we encourage you to do any of the following:

1. Ask the staff to arrange an appointment for you to see the Director or Assistant Director.
2. Leave a note in a sealed envelope with the Receptionist in the Administrative wing, addressed to the Director or Assistant Director.
3. If you wish to call something to our attention but not make a formal complaint, note the problem on one of your student evaluation forms or your final student evaluation form. You may do this anonymously, or if you wish us to get back to you, you may sign your name. Every evaluation is read by the Administration, and we will take action to try and prevent a reoccurrence.

1/12/01
Police Academy
Corrections Academy

PREFACE

Welcome to the New Hampshire Corrections Academy. Our Academy objective is three-fold in nature: (1) To provide corrections staff with effective and worthwhile training; (2 & 3) To enhance understanding and skill in specified areas, and provide a humane institutional environment for both the corrections staff and the inmate.

This training program is designed to address three major areas of preparation: academic, physical and interpersonal. Your performance in all three areas will determine your successful completion of the program. The academic aspect of the training will focus on the skills and understanding required of a corrections staff member. Your success or failure in this area will be largely determined by your written test/quiz scores and your contribution and participation in class activities and discussions.

The physical components of the program are necessary for two basic reasons: First, it is the belief of the Academy that your effectiveness as a corrections staff member correlates largely with your physical condition and stamina. If you cannot endure a strenuous 8-10 hour workday, then your effectiveness is greatly diminished. Second, by the very nature of this profession an occasion could arise when your life, as well as the lives of other staff or inmates, could depend on your physical conditioning.

The interpersonal phase of the training also serves two basic purposes: First, to provide you with the interpersonal skills to respond to the endless problems and concerns that you will encounter in your interaction with inmates; second, to assess your interpersonal stamina to work effectively under stressful conditions. This, more than anything else, represents the nature of the profession you are entering.

Yours is a serious profession with intense requirements placed upon you. You will feel the weight of those demands during the course of this training and throughout your career in corrections. Your effectiveness in responding to those demands will largely be determined here. Good luck in your training!

Very truly yours,

Earl M. Sweeney, Director
NH Police Standards and Training

CORRECTIONS OFFICER'S CODE OF ETHICS

As a Corrections Officer I regard myself as a member of an important and honorable profession.

I will keep myself in the best possible physical condition at all times.

I will perform my duty with efficiency at all times.

I will be exemplary in my conduct, edifying in my conversation, honest in my dealings and obedient to the laws of the city, state and country.

I will regard my oath as I regard my sacred honor.

I will not, in the performance of my duty, work for personal advantage or profit.

I will, at all times, recognize that I am a public servant.

I will give the most efficient and impartial services of which I am capable at all times.

I will be courteous in my contacts at all times.

I will regard my fellow officers with the same standards as I hold myself.

I will guard my fellow officer's honor and life as I guard my own.

I will be loyal to my fellow officers, my supervisors and my institution.

I will accept responsibility for my actions.

I will do only those things that will reflect honor on my fellow officers, my institution and myself.

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1. Academy Operations Schedule and Procedures
2. Corrections Officer Standards and Discipline
3. NH Corrections Academy - Staff Policies
4. Explanation Merit/Demerit System

PLATOON LEADER'S POST ORDERS CHECKLIST**"THE BIG 10"**

1. ___ Morning formation/inspection.
2. ___ Leads class to Pledge of Allegiance/Moment of Silence.
3. ___ Greets instructors at the beginning of class.
4. ___ Keeps accurate attendance of class members.
5. ___ Marches class to and from lunch.
6. ___ Insures that classroom procedures are followed.
7. ___ Insures discipline among class members.
8. ___ Insures that proper uniform/attire is worn.
9. ___ Assumes command of class during absence of staff.
10. ___ Performs duties as assigned by staff.

PLATOON LEADER'S SEQUENCE FOR MORNING FORMATION

- (1) Class fall in. (centered in front)
- (2) Report. (centered in front)
- (3) Open ranks, March. (centered in front)
- (4) At close interval, dress right dress. (check alignment)
- (5) Ready, front. (front left end) Cover.
- (6) Sir, the class is formed. (centered in front)
 # persons absent.
- (7) Squad (s) At ease. (during inspection)
- (8) Class, Attention. (Moving to front w/inspector)
- (9) Close Ranks, March. (centered in front)
- (10) Fall out and fall into the .

ACADEMY OPERATIONS SCHEDULE AND PROCEDURES

The following guidelines and procedures will be observed by students during their pre-service training at the New Hampshire Corrections Academy.

A. Academy Office and Classrooms

Regular business hours are from 0800 hours to 1630 hours, Monday through Friday for both the New Hampshire Police Standards and Training Council and the New Hampshire State Prison. These hours are subject to change according to Academy schedule. Telephone communication with the Academy and staff includes the following numbers:

NHSP Staff Member 271-2133 or 34

B. New Hampshire Corrections Academy Program Schedule

The New Hampshire Corrections Academy training for students will occur five (5) days a week (except for specific holidays) for consecutive weeks until the completion of the Academy.

1. Students are required to be present for inspection each day prior to the beginning of class Session I (location to be announced).
2. Students are required to remain in the Academy area or other specified training site from the start of the first class until they are released for the day.

C. Chain of Command

A chain of command is established with the Academy to effect leadership development and is rotated weekly. The Academy staff will render leadership reports on the performance of students serving in command positions.

1. Training Coordinator/Commandant

- a. Law Enforcement Training Specialist, New Hampshire Police Standards and Training Council.
- b. Responsibilities:
 1. Organize and conduct corrections training programs (In-Service and Pre-Service Training).
 2. Act as liaison for training between the New Hampshire Police Standards and Training Council and the New Hampshire Department of Corrections.

3. Facilitator for problem areas dealing with the training and conduct of corrections personnel.
4. Facilitator for problem areas dealing with Academy staff, class, and/or students.
5. Instructor for the New Hampshire Corrections Academy and Police Academy.

2. New Hampshire State Prison Staff Member/Training Bureau Staff

- a. Custody staff member, New Hampshire State Prison - rank of Sergeant or higher.
- b. Responsibilities:
 1. Act as representative for the New Hampshire Department of Corrections.
 2. Facilitator for problem areas dealing with the training and conduct of corrections personnel.
 3. Facilitator for problem areas dealing with the Academy staff, class and/or students.
 4. Instructor for the New Hampshire Corrections Academy.
 5. Responsible for any assigned duty dealing with the Corrections Academy.

3. Student Platoon Leader

- a. Rotating student weekly assignment.
- b. Responsibilities:
 1. Insure that the class is in a "State of Readiness" at all times (i.e., during class and formations).
 2. Greet all instructors at the beginning of each class and/or formation.
 3. Keep accurate attendance of each student at all times.
 4. March the class to and from lunch.
 5. Assume command in the absence of Academy staff.

6. Act as student liaison between student squad leaders and Academy staff members.
7. Accompany inspecting officer during all inspections.
8. "FALL" students in and out of class and/or formations upon the instructions of any Academy staff member.
9. Act as a "positive" example for all students to follow.
10. Perform other duties and responsibilities as assigned by Academy staff members.
11. Insure that classroom procedures are followed.
12. Insure that students wear the prescribed uniform.
13. Insure discipline among the members of his/her platoon.

4. Student Squad Leader

- a. Rotating student weekly assignment.
- b. Responsibilities
 1. Insure that his/her respective squad is in a "State of Readiness" at all times (i.e., during classes and formations).
 2. Keep accurate attendance of each student in his/her respective squad at all times.
 3. Act as student liaison between individual squad members in his/her respective squad and the student platoon leader.
 4. Act as a "positive" example for squad members to follow in his/her respective squad.
 5. Perform other duties and responsibilities as assigned by Academy staff members and/or student platoon leader.
 6. Insure discipline among members of his/her squad.
 7. Insure that all squad members are present, on time, and in proper uniform.

D. Visitors

1. Students shall not receive visitors during Academy hours (except for bonafide emergency reasons).

E. Transportation

1. Students shall be responsible for their own transportation to and from the Academy.
2. Field trips taken during training shall be accomplished by carpooling (POV's).

F. Absences

1. A student shall be considered late if not in proper place at any assembly, formation, or class session in accordance with the time listed on the schedule.
2. Only the Academy staff may excuse a student from duty. An instructor shall refer a student to the Academy staff for an excused absence. In case of emergency, the New Hampshire Police Standards and Training Council Law Enforcement Training Specialist shall be contacted.
3. Excuse procedure is as follows:
 - a. Regarding a student in a class or supervised activity, the student shall explain the situation directly to the Academy staff.
 - b. The Academy staff, at their discretion, shall make a decision on whether to give an excused absence to the student. That class may have to be made up prior to receiving course completion.
4. When traveling to or from the Academy, any student who will be late reporting for duty shall notify the Academy staff PRIOR to the starting time of the class.
5. Telephone calls shall be made by the student himself/herself.
6. If a student is tardy for class a second time without the Academy staff's approval, he/she shall be referred to their respective supervisor, New Hampshire Department of Corrections, for appropriate action.
7. If the student is a repeater (tardy two or more times), he/she shall be referred to the Director of the New Hampshire Police Standards and Training for appropriate action including, but not limited to, dismissal from the Academy.
8. No student shall leave the Academy area during training hours without first obtaining permission from the Academy staff.

9. Any student authorized to leave the Academy area during training hours shall supply the Academy staff with his/her name, time of departure and return, phone number where he/she can be reached, and the destination.
10. No extended leave of absence shall be granted to a student except in cases of bonafide emergencies. The Academy staff shall determine what constitutes an emergency.
11. No cell phone use is permitted by students.

G. Meals

1. Meals (lunches) shall be provided by the New Hampshire Police Standards and Training Council, and students shall attend all meals unless authorized by the Academy staff to be absent.
2. Meals shall be served in the cafeteria at the New Hampshire Technical Institute, Concord, at the time specified by the Commandant.

H. Telephone Calls

1. Telephone calls can be made at payphones after obtaining permission from Academy Staff.

I. Equipment

1. All students shall be held responsible for the care of equipment, regardless of whether it is issued to an individual or provided for general use.
2. Gross abuse of equipment or failure to return it to its proper place shall result in a statement of charges assessed against the responsible student for the replacement cost for the equipment.

J. Classroom Conduct

1. Each student shall sit in a straight, upright position, in assigned seats, and be properly attired.
2. The attire for corrections employees shall be the Academy uniform of the day, unless otherwise specified. All other students shall be appropriately attired in accordance with Academy guidelines. No T-shirts, jeans, tank tops, sneakers, or similar attire will be permitted.
3. Students shall be in their assigned seats promptly at the commencement of each class period.

4. To gain an instructor's attention, a student shall raise his/her hand.
5. Classrooms shall be kept neat and orderly at all times. Students are responsible for policing of areas immediately adjacent to their seats.
6. Each student shall maintain an attitude and posture of alertness.
7. Chewing of gum during class is prohibited.
8. Eating food in the classroom is prohibited.
9. Conversation between students during classroom instruction or lecture hall shall not be tolerated.
10. Loud noise and talking in the hallways is prohibited.
11. Unprofessional behavior, coarse language, and inappropriate language or gestures are prohibited.
12. During class breaks, students shall either remain in the classroom, or use designated break areas.
13. Smoking shall not be permitted by Corrections Academy Students during class breaks or at any other time while in attendance at the Corrections Academy.

K. Courtesy

1. Students shall display a respectful and courteous attitude towards all persons.
2. All students are reminded that their conduct reflects directly on the New Hampshire Department of Corrections and the New Hampshire Police Standards and Training Council, and on the Corrections profession.

L. Personal Appearance

1. Uniforms shall be the standard attire for corrections employees. Uniforms shall be worn at all times unless otherwise directed by the Academy staff.
2. All students shall exercise proper care and attention to their person, as well as to insure that they present a neat, clean and professional appearance.
3. The following criteria are established to insure conformance to the above Academy guidelines for corrections officers:
 - a. Hair shall be maintained in a neat and clean condition at all times.
 - b. Hair shall be trimmed so that it does not cover any part of the ear. (male)

- c. Block haircuts are permitted so long as the hair does not fall over the collar when the student is in a normal standing position.
 - d. The back of the neck shall be clean-shaven.
 - e. The bulk or length of a student's hair shall not interfere with the normal wearing of any headgear.
 - f. Sideburns shall be neatly trimmed and shall not be of the flared type. The base of the sideburns shall be clean-shaven on a horizontal line, and shall not extend below the bottom of the earlobes.
 - g. No beards of any type shall be permitted.
 - h. Mustaches shall be allowed, but shall not extend below the corner of the mouth, nor extend over the upper lip. Only existing mustaches shall be allowed. Students who have mustaches shall keep them properly groomed.
4. The following criteria are established to insure compliance to the above Academy guidelines for all other students:
- a. Hair shall be maintained in a neat and clean condition at all times.
 - b. Students who have mustaches and beards shall keep them neatly groomed.
 - c. Male students shall be clean-shaven except that existing mustaches and beards will be permitted.

M. Uniforms and Appropriate Attire

1. The appropriate Corrections Academy uniform is defined by the following criteria:
- a. Black shoes, highly polished
 - b. Dark socks (black or dark blue)
 - c. Black belt, polished (no large or obscene buckles)
 - d. Issued uniform pants, neatly pressed and clean
 - e. Issued uniform blouse, neatly pressed and clean
 - f. Issued hat, clean and in good repair
 - g. Issued name tag

2. The appropriate attire for all other students attending the Academy through in-service is defined by the following criteria:
 - a. Male students:
 1. A suit or sports jacket with dress shirt and tie, or slacks with sports shirt and tie and sweater.
 2. Slacks with coordinated open-collar shirt.
 - b. Female students:
 1. Dress
 2. Skirt and blouse combination
 3. Slacks and coordinated blouse and/or sweater.
 - c. Blue jeans, denims or dungarees and sneakers shall not be worn during training sessions unless authorized by the Academy staff.
3. Uniforms and appropriate attire shall have no wrinkles, spots or stains.
4. An inspection of ALL Academy students shall be conducted at the time indicated by the Commandant. The inspection shall stress personal appearance, uniform and appropriate attire, with emphasis placed upon the established criteria as provided in the above Academy guidelines.

N. Physical Training

1. Physical training is an integral part of the entire training program and is important to an individual's health. In law enforcement, it is crucial to be in good physical condition to respond to emergencies and to handle stress inherent to the job. Participation is mandatory for ALL students.
2. The physical training uniform shall consist of the following items:
 - a. Appropriate footwear (i.e., running shoes)
 - b. Shorts/sweatpants
 - c. White athletic socks
 - d. White T-shirts/sweat shirts
 - e. A plain-colored sweatband around the forehead is permitted.
3. Students who withdraw from physical training due to injuries shall be reviewed for fitness for duty by the Academy Staff after one (1) day.

4. Any student who cannot participate in a full fitness program for more than eight sessions, or who misses more than eight sessions due to injury or absences, will be dismissed and referred to the Department of Corrections for possible attendance at a future academy session.

O. Injuries-Illnesses-Ailments

1. Injuries, illnesses and other disabilities sustained either on or off duty shall be reported immediately to the Academy staff for disposition and action.
2. Any injury, illness or ailment, sustained out of the Academy area, shall be reported to the Academy staff prior to scheduled classes.

P. Parking

1. Parking facilities are available in all non-designated areas.
2. All unattended vehicles shall be secured in a locked condition, with personal belongings and valuables locked in the vehicle.
3. Immediately report any vandalism or theft from vehicles to the Academy staff.
4. No firearms, alcohol or illegal drugs are permitted in the Academy facility at any time. Prescription and non-prescription drugs are to be in the original container, and the prescription must be for that student.

Q. Honesty and Ethical Behavior

1. All uniform and non-uniform DOC staff members involved in recruit level or in-service training programs shall be responsible for the same level of honesty and ethical conduct required in the performance of their duties.
2. Falsehoods, cheating, theft, aggressiveness, disrespect or improper behavior of an ethical or moral manner shall not be tolerated while attending a training program at the New Hampshire Police Standards and Training Facility.
3. The above also includes any training programs coordinated by New Hampshire Police Standards and Training Council or DOC staff at an off-site training location.
4. Violation of this rule may involve immediate termination from any training program and exclusion from future programs, with a follow-up report being sent to the DOC staff person for further disciplinary action.

5. Infractions of the New Hampshire Corrections Academy guidelines and procedures, any dishonest act involving examinations or otherwise, and incidents of discourtesy, disrespect, or failure to put forth a full effort in pursuing the program, may result in dismissal from the Academy and a report sent to the student's departmental supervisor for appropriate disciplinary action.

Signed: _____

Earl M. Sweeney, Director

CORRECTIONS OFFICER STANDARDS AND DISCIPLINE

A. PURPOSE

To establish professional standards and discipline required to successfully serve as a Corrections Officer.

B. APPLICABILITY

To all custodial staff assigned to the State Prisons and to the NH Secure Psychiatric Unit.

C. POLICY

1. Uniform

The uniform issued to Corrections Officers shall be worn in such a manner as to foster respect and confidence in the authority of the State of New Hampshire which it represents. Each officer shall report for duty in a clean, well-pressed uniform, well-fitting and neat with the prescribed patches, insignia and badges for the appropriate individual officer.

WHEN ON DUTY, UNIFORMS SHALL BE WORN IN THE FOLLOWING FASHION:

A. Head Gear:

The uniform cap shall be worn at all times except when in an office environment where prisoners are not present or in the cafeteria and similar "relaxation" areas. The cap shall be worn at all times when out of doors, and for inspections.

B. Shirts:

The short-sleeved shirt shall be worn without a tie, and a clean navy blue T-shirt shall show at the neckline. T-shirts of other colors shall not be worn. Long-sleeved undergarments shall not be worn under short-sleeved shirts. Both long and short-sleeved shirts shall be worn with authorized insignia of rank, with a DOC patch on the left shoulder, with other special identifying devices, and when worn as an outer garment, with a badge. The black plastic prison name tag shall be worn centered above the right breast pocket. Pockets on shirts shall be buttoned and items shall not be worn so as to protrude from the pocket, except that one writing instrument may be kept in the space provided.

C. Trousers:

Trousers shall be worn with the issued black belt and issued buckle. Issued equipment shall be affixed to the black leather belt. When armed with a sidearm, an additional belt with holster may be worn over the trouser belt. Such pistol belts shall either be issued, or of a design and configuration approved by the Warden. The only items authorized for wear attached to the belt are a key carrier, radio/body alarm carrier, handcuff carrier, OC canister carrier, and when armed with a sidearm, spare cartridge carrier and holster.

D. Foot Gear:

Highly-polished black footgear will be worn with the uniform. When low-quartered shoes are worn, black or dark blue socks shall be worn. Other color socks may be worn under boots if not visible.

E. Outer Garments:

The jacket shall be worn during cold weather as appropriate to the duty assignment, and when worn shall have appropriate insignia of rank, shoulder patch on the left shoulder, and badge on the badge carrier. Rain gear or adverse weather gear may be issued for wearing with the uniform. Such rain gear is ordinarily the yellow slicker design, although from time to time, olive drab or black rain gear may be issued.

If individual officers choose to do so, individually purchased items can be substituted for issue items, if the individually purchased items are of the same configuration and appearance as the issued items, and are approved by the Warden.

If, during periods of cool weather, officers choose to wear a sweater as part of the uniform, they may do so, provided that the sweater is dark blue or black without designs or decorations. Individually owned clothing worn on duty is done so as the risk of the individual owner.

Uniforms shall not be worn other than for prison business, except that they are authorized for wear while in transit directly to and from home. They shall not be worn off duty--shopping, drinking or in other similar activities. Advance approval of the Warden is required when the uniform is to be worn for other activities such as school attendance, attendance at civic functions, or other activities not directly related to prison business.

Misuse of the prison uniform, its components, or other prison identification to illegitimately use law enforcement status to advance one's personal goals is prohibited.

Uniforms and accessories lost, misplaced, or damaged by negligence shall be replaced at the expense of the officer.

F. Non-Uniformed Staff:

Non-uniformed staff attending the Corrections Academy or in-service training shall comply with NH Police Standards and Training Council dress code policy outlined under Facility rule 4.0 Attire (4.1 and 4.2). A copy of this rule shall be distributed to all non-uniform DOC staff attending the Corrections Academy.

2. Dismissal

A student officer may be dismissed from the Academy, by the Director of the Police Standards and Training Council or his designee, for the following reasons:

- A. Any infraction of the Academy rules, regulations or Standard Operating Procedures.
- B. A student officer who accumulates 20 demerits.
- C. A student officer (or non-uniform staff member) may be dismissed for academic reasons from the Academy by the Director of the Police Standards and Training Council, or his/her designee, for the following reasons:
 - 1. A student officer who fails two (2) consecutive weeks (academically) may be dismissed.
 - 2. A student who has consistently been unable to maintain a 70% average may be dismissed.
 - 3. The dismissal proceeding for academic failure for uniform staff shall be preceded by a conference between the Corrections Academy Commandant or his/her designee, a Warden of a Correctional Facility or his/her designee, and a representative from the DOC Personnel Director's office.
 - 4. All three members of this committee, or their selected designee, shall be consulted before a decision is made.
 - 5. A full written report and action recommendation regarding the academic failure shall be forwarded to the Director of the NH Police Standards & Training Council, by the Corrections Academy Commandant, or in his/her absence one of the other parties present at the proceeding.
 - 6. The Director of the NH Police Standards and Training Council, or his/her designee, shall make the final determination as to dismissal from the Academy.

If for some reason a primary member of this committee is unavailable, they will be briefed regarding the decision at the earliest convenience.

In regard to non-uniform staff, the same proceeding shall take place. The appropriate division or bureau head shall assume the responsibility of the Administrator of Security in this case.
- D. A student who is physically unable, due to injury or illness, to meet the prerequisites for successful completion of the Academy.
- E. Any other just cause as determined by the Commandant.

3. Prerequisites of Successful Completion

For a student to successfully complete the New Hampshire Corrections Academy, the following minimum requirements shall be met:

A. Academic:

The student shall achieve an academic average of 70% or better.

B. Final Examination:

The student must pass the final exam with a 70% score.

C. Physical Training:

The student corrections officer shall satisfactorily complete the Pre-Academy physical fitness test, as established by the Police Standards and Training Council. At the end of the seventh week of the Academy, the student trainee will be re-tested in physical fitness and the student will meet the 45th percentile standard, according to Cooper's Aerobic Institute standards.

D. Firearms:

The student corrections officer shall satisfactorily complete the final firearms qualifications, as established by the Police Standards and Training Council.

E. Defensive Tactics:

All students shall satisfactorily pass a practical exam on the methods taught, showing proficiency in this area. A student who fails to meet the above requirements shall not graduate with his/her class.

1. The student who fails to meet requirements 3 A through E shall be afforded one opportunity to satisfactorily complete them at a future time, to be established by the Director, if they are retained by the Department of Corrections. This shall not be more than thirty days after the graduation of that session, and it is the responsibility of the student to notify the staff that he or she is ready for a re-test.
2. A student who fails academically shall be required to satisfactorily complete the entire Academy. Re-entry into the Academy shall be subject to approval by the Director.
3. The Department of Corrections shall be notified in writing, when a student fails any prerequisites.
4. Appeal. A student officer may appeal his/her dismissal from the Academy to the Council within 5 days by written request to the Di-

rector, in accordance with the Police Standards and Training Council Rules and Regulations.

4. Examinations - Grades

- A. Each student shall maintain an overall average of 70% or better.
- B. Written examinations shall be held as prescribed.
 - 1. All students shall be responsible for all subject matter presented at the Academy, whether in written, oral or practical form.
 - 2. Examinations shall be presented as weekly modules.
 - a. Failure of an examination (less than 70%) shall result in the student taking a retest. This retest shall not affect the student's grades. However, on retesting, a passing grade shall not expunge the failing grade, as outlined in Rule 2C. If a student fails a re-test, he or she will be required to repeat the entire week of required classes at a future session and satisfactorily pass that exam.
 - 3. The final examination grade shall carry the same weight toward the cumulative average as all other tests.
 - 4. The final cumulative grade shall be determined by adding the cumulative examination grades.
 - a. Weekly modules
 - b. Notebook
 - c. Any other assigned projects.
 - 5. Any person who fails the final shall take a retest. If a student fails the retest, or their overall academic average is below 70%, they will have to repeat the entire academy if they are retained by the Department of Corrections.

5. Notebooks

All students undergoing instruction at the Academy shall be required to organize a permanent set of notes into a notebook or notebooks, according to instructions.

Notebooks shall be collected at a prescribed time for marking.

Notebooks shall be subject to review at any time.

6. Police Authority, Use of

No student, while training at the Academy, shall exercise any police power or corrections authority on Academy grounds, except in an emergency or under the supervision of superior officers.

7. Gambling

Gambling of any type is prohibited. This includes buying and selling chances of any type.

8. Hazing or Horseplay

This practice is strictly prohibited at the Academy, and could result in immediate dismissal.

9. Inspections

Inspections can be held at any time or each morning as outlined in the daily routine. Haircuts, shaves, shoes, brass, and general cleanliness shall meet with Academy staff approval.

10. Liquor or Drugs

The possession or drinking of alcoholic beverages, or possession and taking of drugs not prescribed, is prohibited on the Academy premises. A member of the staff shall be notified if any student brings prescribed drugs to the Academy.

11. Visitors

Students shall not receive visitors unless approved, in advance, by the staff officer in charge.

12. Honor Code

Any student observing a violation of rules by another student shall report the same immediately to the staff member, and cooperate in any internal investigation related to the violation. Failure to do so may result in disciplinary action or dismissal from the program.

Signed: _____

Earl M. Sweeney, Director

STAFF POLICIES

1. Recruits shall ALWAYS come to ATTENTION when any Academy Staff member enters any classroom and/or group gathering. However, while the class is in session, the Platoon Leader shall not interrupt the instructor by calling the class to ATTENTION.
 - a. Recruit Platoon Leader is responsible for calling the platoon to ATTENTION in the classroom, or he/she may delegate a Squad Leader in his/her absence to assume the responsibility.
 - b. Any recruit may call recruits to ATTENTION in all other situations/areas where any Academy Staff member enters, or their immediate ATTENTION is required.
2. While at the NHTI cafeteria, Recruits shall Sit together in a formal manner as designated by the Commandant, acting professionally at all times.
3. Recruits shall stand at Attention when asking any Academy Staff member a question. They shall say, "Sir" or "Ma'am", name and ask the question. The Academy Staff member answers the question. The recruit will then say, "Sir" or "Ma'am, thank you." They will continue on with their business at this point.
4. Recruits shall NOT be allowed to make telephone calls unless there is an actual emergency. An Academy staff member shall determine if the emergency is actual.
5. Recruits shall arrive at the time indicated on their schedule for each day's activities. Arriving late shall require a written reason to the Commandant or Assistant Commandant.
6. Recruits shall report, in writing, to the Academy Staff any drug(s), medication(s), vitamin(s) and/or food supplement(s) in their possession.
7. Recruits shall advise Academy Staff of any physical profile that they may have. A physician's signed statement shall be placed in the Recruit's file.
8. The class shall thank all instructors at the completion of their class. The class will say, "Sir, thank you, Sir," or "Ma'am, thank you, Ma'am."
9. All employees of DOC attending classes for credit shall be alert and obey all rules of the Corrections Academy training process.

10. Sit-in students, who attend classes and who are not enrolled in the Corrections Academy, shall notify the Commandant or Assistant Commandant upon their arrival.
11. Students sitting in on classes shall complete a Corrections Academy non-recruit attendance form to receive credit for the class. These forms will be available in the Recruit Academy classroom and will be turned in to the Commandant or Assistant Commandant, or in their absence the platoon leader, at the completion of the class.

Signed: _____

Earl M. Sweeney, Director

Merit/Demerit System

A. Introduction:

During attendance at the Pre-service Corrections Officer Academy, a merit/demerit system may be used to help develop Corrections Officer standards and discipline. The objective of the merit/demerit system is to provide a vehicle by which the Academy staff can measure Correction Officer Trainee progress towards the DOC standards.

B. Sanctions:

Repeated offenses of established standards and misconduct may lead to counseling, letter of reprimand and/or termination of employment with the Department of Corrections, and/or failure of the course with the Police Standards and Training Council.

C. Disciplinary Action Memos:

Students may be issued disciplinary action memorandums (DAMS) in order to allow them to explain their actions or behavior and their plan to change or correct it.

D. Merit/Demerit System/Ratings:

<u>Grooming:</u>	<u>Merit/Demerit</u>
Hair, clean cut	2
Sideburns flared or too long	1
Mustache	1
Shave	3
 <u>Uniform Violations:</u>	
Clean	1
Pressed	1
In need of repair	1
Buttons open or missing	1
Name tag missing, improper wear	1
Belt black, missing or unauthorized buckle	1
T-shirt soiled or colored	1
Shoes, clean, black, dirty, unpolished	1
Gig line	1
Strings, ropes	1
 General overall appearance	 5

<u>Discipline:</u>	<u>Merit/Demerit</u>
No show	5
Late/tardy unreported	5
Late/tardy reported	2
Departure from duty/class w/o permission	2
Failure to notify staff in adequate time for scheduled absence (24 hrs).	1
Disrespect toward Academy or NHSP instructor or staff member	3
Failure to maintain academic average	1
Failure to comply with PSTC student handbook	2
Display of disrespect in words or action toward the inmates housed at NHSP (You will always assume a responsible, professional attitude in dealing with inmates.)	1
Failure to address instructor by appropriate name, rank and/or title	1
Exemplary performance in leadership position	5

E. Results of Merit/Demerit System:

1. **Demerit:** Demerits are used to identify trends in discipline and a means to instill pride in the self and the uniform. Continued disrespect for the wearing of the uniform, and poor grooming, are indications that the individual will not meet the standards of the professional officer the Police Standards and Training Council and the Department of Corrections requires, nor be the role model needed in the Corrections Officer ranks for the inmate to look up to and respect. Disciplinary infractions identify lack of responsibility and other traits required of today's certified Corrections employee.
 - a. An officer who has acquired 10 demerits requires counseling. An officer who, after counseling, has received 15 demerits shall be notified in writing of his shortcoming, and required appearance and/or conduct. An officer who has received 20 demerits shall be closely reviewed and a determination shall be made if the officer should be dismissed, based on repeated offenses for appearance and/or conduct.

Signed: _____

Earl M. Sweeney, Director